

Agenda

Environmental Protection Commission

February 16, 1998

10:00 AM

Wallace State Office Building, Fourth Floor Conference Room

Public Participation

10:30 A.M.

Agenda topics

- | | |
|---|----------------------------|
| 1. Approve Agenda | |
| 2. Approve Minutes of January 20, 1998 | |
| 3. Director's Report | Larry Wilson (Information) |
| 4. Monthly Financial Status Report | Stan Kuhn (Information) |
| 5. Landfill Alternatives Financial Assistance Program Applications Selected | Roya Stanley (Information) |
| 6. Contract Approval - McAtee Waste Tire Stockpile Abatement Project | Roya Stanley (Decision) |
| 7. Monthly Reports | Allan Stokes (Information) |
| 8. Funding Approval - IowAccess Project 11, Air Permitting System | Allan Stokes (Decision) |
| 9. Contract Revision - UHL | Allan Stokes (Decision) |
| 10. Proposed Rule--Chapters 22, 23, and 25, Hospital, Medical and Infectious Waste Incinerators, and Municipal Waste Combustors | Allan Stokes (Information) |
| 11. Notice of Intended Action--Chapter 22, Air Quality Permits | Allan Stokes (Decision) |
| 12. Final Rule--Chapter 134, Groundwater Professional Certification | Allan Stokes (Decision) |
| 13. Legislation Update | Don Paulin (Information) |
| 14. General Discussion | |

Next
Meeting
Dates

March 16, 1998

April 20, 1998

ENVIRONMENTAL PROTECTION COMMISSION

Monday, February 16, 1998

NAME

COMPANY OR AGENCY

CITY

(PLEASE PRINT)

Cathy Woollums
Joe Robertson
Jane McAllister

MidAmerican Energy Co.
Solid Waste Mng. Marshall Co
Ahlers Law Firm

Davenport
Marshalltown
DSM

Jean Goungs
Jam Blake
Perry Beeman

IA Valley Cont Ed
Iowa Valley Cont. Ed.

Marshalltown
Marshalltown
DM

DAN VEST

DM Register
GROWMARK, INC.
10353 Grant

Bloomington, IL
Bella

Paul Jenner
Shida King

DED.

DSM

Rich Kelley
Nelson F. Mohler
Hal Morton

UHL

DRS

Seema Chit

Des Moines

Des Moines Co. Reg. / SW Comm

Burlington

Jim Scott

Iowa Medical Waste Care

Cedar Rapids

Kathy Scott
Elizabeth Hinder

11
IDEP

DSM

RECORD COPY *EPC Meeting*
File Name *ADM-1-1-1*
Scribers Initials *JH.* *Feb. 1998*

MINUTES
OF THE
ENVIRONMENTAL PROTECTION COMMISSION
MEETING

FEBRUARY 16, 1998

WALLACE STATE OFFICE BUILDING
DES MOINES, IOWA

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MEETING MINUTES

CALL TO ORDER

The meeting of the Environmental Protection Commission was called to order by Chairman Ehm at 10:00 a.m. on Monday, February 16, 1998, in the Wallace State Office Building, Des Moines, Iowa.

MEMBERS PRESENT

William Ehm, Chair
Rozanne King
Dean McWilliams
Kathryn Murphy
Gary Priebe
Terrance Townsend, Vice-Chair
Rita Venner

MEMBERS ABSENT

Randal Giannetto
Charlotte Mohr, Secretary

Director Wilson noted that both Randall Giannetto and Charlotte Mohr called and said they have a conflict in their schedules and will not be present today.

ADOPTION OF AGENDA

Motion was made by Rozanne King to approve the agenda as presented. Seconded by Terrance Townsend. Motion carried unanimously.

APPROVED AS PRESENTED

APPROVAL OF MINUTES

Motion was made by Dean McWilliams to approve the meeting minutes of January 20, 1998, as presented. Seconded by Rita Venner. Motion carried unanimously.

APPROVED AS PRESENTED

DIRECTOR'S REPORT

Larry Wilson, Director reported that at last week's Natural Resource Commission meeting they addressed the issue of the ever increasing deer herd in Iowa City. He related that the city petitioned the Commission to be allowed to use sharpshooters to reduce the deer herd, and staff provided recommendations for the Commission to approve in that matter. Mr. Wilson stated that it is the first time sharpshooting has been allowed to kill deer in Iowa. He noted that there will be expectations from the city to maintain the herd at an acceptable level and that is part of an agreement to be worked out.

Director Wilson noted that the REAP regional meetings are taking place around the state and seven have been held. He added there are ten more meetings to be held and invited the Commissioners to attend when there is one in their area.

Brief discussion followed regarding the deer population.

FINANCIAL STATUS REPORT - YTD DIVISION EXPENDITURES

Stan Kuhn, Division Administrator, Administrative Services Division, presented the following item.

Attached is the expenditure status report as of 1/31/98 for cost centers, bureaus and divisions within the operations budget.

Additional budget adjustments have been made. The Parks division budget has been increased by \$200,000 supported by an increase in the camping revenue estimate. The Forestry division's budget was reduced by \$18,000 to reflect a slight reduction in the level of nursery stock receipts expected.

Staff will attempt to respond to any questions or comments regarding budget status at the meeting.

Monthly Operations Budget Status Report 1/31/98

	FY97 Actual	FY98 O/BDGT	FY98 A/BDGT	FY98 YTD A/BDGT	FY98 YTD Actual	Variance Under(Ovr)
Division Summary						
Director's Office/I&E	1,815,108	2,019,376	2,044,376	1,125,721	1,030,820	94,901
Administrative Support	5,178,711	5,662,615	5,807,615	3,201,628	2,936,177	265,451
Parks, Preserves & Recreation	9,169,083	9,196,141	9,396,141	5,298,747	5,422,722	(123,975)
Forests and Forestry	2,800,131	2,869,497	2,851,497	1,578,633	1,506,137	72,496
Energy & Geological Res.	3,957,613	5,067,391	5,067,391	2,758,893	1,934,026	824,867
Environmental Protection	18,671,708	19,908,815	19,908,815	10,973,566	8,616,693	2,356,873
Fish and Wildlife	19,950,233	20,761,728	20,761,728	11,715,884	11,531,855	184,029
Waste Management Assistance	1,260,687	1,781,227	1,781,227	960,949	774,728	186,221
Totals	62,822,585	67,266,790	67,618,879	37,614,021	33,753,158	3,860,863

Budget Unit	FY97 Actual	FY98 O/BDGT	FY98 A/BDGT	FY98 YTD A/BDGT	FY98 YTD Actual	Variance Under(Ovr)
Director's Office & Commissions	326,942	266,371	306,371	170,555	189,234	(18,679)
Permit Compliance Team	71,068	191,045	191,045	109,094	95,768	13,326
REAP Program	64,296	14,500	39,500	27,750	30,385	(2,635)
Policy Coordination	38,338	95,555	55,555	31,307	10,951	20,356
Total Director's Office	500,644	567,471	592,471	338,707	326,338	12,369
Information & Education Bureau						
I&E General Operations	434,053	435,044	435,044	242,519	242,857	(338)
Conservationist Magazine	334,421	386,552	386,552	199,662	143,842	55,820
Education Center Programs	179,350	192,924	192,924	106,541	95,435	11,106
Aquatic Education	225,247	278,537	278,537	150,087	166,411	(16,324)
Fish and Wildlife Information	31,625	15,458	15,458	8,765	11,953	(3,188)
Energy Information	42,564	72,674	72,674	39,999	29,939	10,060
Groundwater Education	0	23,044	23,044	13,066	0	13,066
319 Planning Information	41,853	39,672	39,672	22,370	899	21,471
Air Quality Title 5 Information	0	0	0	0	11,145	(11,145)
Education Workshops	3,868	8,000	8,000	4,006	0	4,006
Outdoor Learning	10,608	0	0	0	1,935	(1,935)
Project Wild Expansion	5,122	0	0	0	0	0
Hooked on Fishing	5,753	0	0	0	66	(66)
Total I & E Bureau	1,314,464	1,451,905	1,451,905	787,015	704,482	82,533
Total Director's Office/Info & Ed.	1,815,108	2,019,376	2,044,376	1,125,721	1,030,820	94,901

Administrative Services Division

Budget Unit	FY97 Actual	FY98 O/BDGT	FY98 A/BDGT	FY98 YTD A/BDGT	FY98 YTD Actual	Variance Under(Ovr)
Budgets and Grants Bureau	347,840	354,057	354,057	195,553	199,163	(3,610)
State Central Services & Indirect	100,908	266,458	241,458	91,058	101,136	(10,078)
Accounting Bureau	780,822	876,116	876,116	481,902	412,835	69,067
Administrative Services Bureau	1,375,216	1,499,918	1,499,918	816,143	721,700	94,443
Central Data Processing Bureau	577,241	770,991	770,991	439,683	357,313	82,370
Licensing Bureau	413,410	325,157	355,157	212,244	220,134	(7,890)
Construction Services Bureau	937,921	908,384	1,048,384	590,926	550,718	40,208
CSB-Park Road Design	75,096	55,212	55,212	31,305	46,238	(14,933)
Land Acquisition & Mngt Bureau	466,013	494,170	494,170	279,303	267,508	11,795
Division Mngt & Misc.	104,244	112,152	112,152	63,510	59,432	4,078
Special Training & Technology	50,307	0	0	0	0	0
Total Administrative Services Div.	5,178,711	5,662,615	5,807,615	3,201,628	2,936,177	265,451

Parks, Recreation and Preserves Division

Budget Unit	FY97 Actual	FY98 O/BDGT	FY98 A/BDGT	FY98 YTD A/BDGT	FY98 YTD Actual	Variance Under(Ovr)
Parks Field Management	279,179	206,405	218,405	121,014	147,526	(26,512)
NW District Parks Operations	1,887,414	1,944,884	1,991,884	1,125,006	1,144,628	(19,622)
NE District Parks Operations	1,895,053	1,843,567	1,890,567	1,068,544	1,084,234	(15,690)
SE District Parks Operations	2,188,662	2,176,025	2,223,025	1,255,105	1,307,624	(52,519)
SW District Parks Operations	1,949,955	1,963,125	2,010,125	1,136,013	1,185,149	(49,136)
Parks & Preserves Programs & Mngt	634,057	672,777	672,777	376,705	359,908	16,797
Endangered Species Grants	0	11,259	11,259	5,630	0	5,630
Preserves Grants	0	19,311	19,311	9,656	0	9,656
DED Parks Grants	24,411	27,167	27,167	15,290	25,713	(10,423)
Trail Development Grants	46,613	44,850	44,850	24,722	25,161	(439)
Cedar Rock	142,227	138,098	138,098	77,872	78,929	(1,057)
Division Management & Misc.	121,094	118,673	118,673	67,832	61,625	6,207
SRF Loan Repayment	418	30,000	30,000	15,360	2,225	13,135
Total Parks, Rec. & Preserves Div.	9,169,083	9,196,141	9,396,141	5,298,747	5,422,722	(123,975)

Note: The Parks division budget was increased \$200,000 as a result of increasing expected FY98 camping revenues.

Forests & Forestry Division

Budget Unit	FY97 Actual	FY98 O/BDGT	FY98 A/BDGT	FY98 YTD A/BDGT	FY98 YTD Actual	Variance Under(Ovr)
Forest Nursery Production	520,144	560,071	530,071	285,909	267,076	18,833
Forest Nursery Services	94,849	96,444	96,444	53,288	49,778	3,510
Shimek Forest	211,443	235,266	235,266	131,552	111,228	20,324
Stephens Forest	164,483	188,023	190,023	106,899	96,194	10,705
Yellow River Forest	256,914	243,229	245,229	137,703	134,566	3,137
Loess Hills Forest	173,708	159,082	161,082	89,935	91,649	(1,714)
Nursery & Forests Management	133,151	140,954	142,954	79,312	84,082	(4,770)
Farm Forestry Services	757,125	797,161	801,161	445,477	430,796	14,681
Trees For Kids Video	7,778	0	0	0	0	0
Trees For Kids Project	40,352	30,000	30,000	15,360	357	15,003
Forestry Services Management	303,576	301,841	301,841	167,079	173,419	(6,340)
Division Management	116,230	117,426	117,426	66,119	66,992	(873)
Training & Technology	20,378	0	0	0	0	0
Total Forests & Forestry Division	2,800,131	2,869,497	2,851,497	1,578,633	1,506,137	72,496

Note: The Forestry budget was decreased by \$18,000 as a result of reducing nursery stock sales revenue estimate.

Energy & Geological Resources Division

Budget Unit	FY97 Actual	FY98 O/BDGT	FY98 A/BDGT	FY98 YTD A/BDGT	FY98 YTD Actual	Variance Under(Ovr)
Energy Bureau:						
Alternative Fuels	8,263	0	0	0	0	0
Biomass	53,425	89,807	89,807	49,828	50,157	(329)
SIFIC A	66,372	88,791	88,791	47,812	26,568	21,244
SIFIC B	89,377	67,296	67,296	38,029	44,709	(6,680)
SIFIC Innovation Project	91,505	101,250	101,250	57,230	55,924	1,306
ICP - Administration	10,320	0	0	0	0	0
ICP - Marketing	117,177	0	0	0	0	0
ICP - Programming	51,489	0	0	0	0	0
State Energy Program	440,763	648,766	648,766	365,800	319,640	46,160
Soya Diesel	17,118	106,369	106,369	54,509	9,929	44,580
Building Code, Energy	100,654	10,000	10,000	5,000	0	5,000
E-85 Promotion	20,001	0	0	0	0	0
Heating Oil & Propane Program	19,118	18,944	18,944	10,268	8,598	1,670
Energy Advancement	103,886	27,119	27,119	15,245	17,125	(1,880)
Greenhouse Gas	4,566	23,402	23,402	11,701	0	11,701
Greenhouse Gas #3	0	75,000	75,000	37,500	0	37,500
Federal Energy Bank	70	74,419	74,419	37,999	23,166	14,833
Great Lakes Ethanol Grant	72,097	0	0	0	0	0
Energy/Education Study	0	50,000	50,000	25,000	0	25,000
Ethanol Seminar, Council of Gov's.	3,801	21,891	21,891	11,125	15,242	(4,117)
Oil Overcharge - 3 Admin	194,807	297,839	297,839	165,304	109,167	56,137
EPA Risk Assessment Project	45,903	61,859	61,859	31,012	24,645	6,367
Rebuild Iowa	114,617	155,129	155,129	78,430	62,984	15,446
SEP Energy Code	0	0	0	0	2,323	(2,323)
Federal Energy Mngt Program	13,859	50,000	50,000	25,000	26,144	(1,144)
Commercial Wind Energy	0	230,000	230,000	115,000	33,329	81,671
Wind Assessment	3,767	4,072	4,072	2,176	1,343	833
SEP Climate Wise	0	50,000	50,000	25,000	20,000	5,000
Ethanol Market Research	40,691	92,970	92,970	46,485	53,280	(6,795)
Total Energy Bureau	1,683,646	2,344,923	2,344,923	1,255,453	904,273	351,180

Energy & Geological Resources Division

Bureau Units	FY97 Actual	FY98 O/BDGT	FY98 A/BDGT	FY98 YTD A/BDGT	FY98 YTD Actual	Variance Under(Ovr)
Geology Bureau:						
Camp Dodge GIS Support	0	24,006	24,006	13,419	0	13,419
Big Springs Modeling	1,658	0	0	0	0	0
Camp Dodge Wetland	17,501	11,450	11,450	5,922	2,138	3,784
Camp Dodge Mapping	27,490	55,967	55,967	35,658	4,845	30,813
Floyd Cty ADW Project	23,876	23,272	23,272	12,521	128	12,393
Wright Cty ADW Project	0	6,200	6,200	3,174	0	3,174
Wright Cty Water Quality	0	27,000	27,000	13,716	0	13,716
Geology/Mineral Resources	375,633	371,462	371,462	209,215	207,281	1,934
Digital Mapping	54,314	100,403	100,403	53,850	47,829	6,021
Wright Cty Monitoring	0	27,683	27,683	14,887	0	14,887
Hydrology/Environment	445,263	488,206	488,206	276,509	247,178	29,331
State Mapping	56,018	22,973	22,973	12,379	18,356	(5,977)
Pesticide Mngt Project	26,391	41,464	41,464	22,771	5,407	17,364
Geology Information	227,751	238,673	238,673	135,725	127,788	7,937
Big Springs Project	80,138	12,269	12,269	6,815	20,063	(13,248)

Environmental Protection Commission Minutes

February 1998

Geographical Info System	159,246	221,247	221,247	125,824	68,582	57,242
319 Planning - 91	32,461	42,465	42,465	23,023	9,249	13,774
Wellhead #2	12,284	0	0	0	0	0
319 Planning - 93	118,950	215,546	215,546	112,241	43,966	68,275
Walnut Creek Restoration	82,396	210,490	210,490	108,057	34,712	73,345
Wellhead Protection, EPA	19,421	86,811	86,811	47,305	12,284	35,021
USGS Coop. Agreement	158,641	156,154	156,154	78,077	40,311	37,766
Geology Bureau Mngt	250,772	239,667	239,667	136,554	86,058	50,496
Total Geology Bureau	2,170,204	2,623,408	2,623,408	1,447,641	976,175	471,466
Special Technology Initiative	11,802	0	0	0	0	0
Energy & Geological Div Mngt	91,961	99,060	99,060	55,799	53,578	2,221
Total Energy & Geological Resources Division	3,957,613	5,067,391	5,067,391	2,758,893	1,934,026	824,867

Environmental Protection Division

Budget Units	FY97 Actual	FY98 O/BDGT	FY98 A/BDGT	FY98 YTD A/BDGT	FY98 YTD Actual	Variance Under(Ovr)
Water Quality Bureau:						
Wastewater (NPDES) Mngt	604,082	700,467	700,467	389,929	339,818	50,111
Non-Point Pollution Conference	8,000	0	0	0	0	0
Storm Water Permitting	148,935	216,986	216,986	122,634	87,555	35,079
Livestock Permits (C. Office)	269,889	226,667	226,667	128,193	163,944	(35,751)
Construction Grants Mngt	12,196	0	0	0	0	0
State Revolving Grant Mngt	242,419	402,537	402,537	228,030	144,902	83,128
GW County Grants Mngt	67,941	59,210	59,210	32,099	31,086	1,013
Iowa River Project	7,011	0	0	0	0	0
Water Monitoring Workshop	0	2,900	2,900	1,473	1,812	(339)
604B Water Planning	150,421	162,264	162,264	91,465	98,493	(7,028)
Floodplain Regulation & Mngt	296,866	309,073	309,073	174,662	170,664	3,998
319 Water Planning-90	19,968	0	0	0	0	0
319 Water Planning-91	64,972	55,000	55,000	31,312	25,109	6,203
319 Water Planning-92	97,163	80,000	80,000	40,000	10,093	29,907
319 Water Planning-93	136,236	175,000	175,000	87,500	50,137	37,363
319 Water Planning-94	381,140	250,000	250,000	125,000	137,387	(12,387)
319 Water Planning-95	520,493	540,064	540,064	287,554	270,103	17,451
319 Water Planning-96	81,698	101,201	101,201	50,634	155,235	(104,601)
319 Water Planning-97	0	50,000	50,000	25,000	31,004	(6,004)
Water Supply Regulation	867,561	1,334,817	1,334,817	733,722	421,702	312,020
Water Rights Administration	124,949	131,410	131,410	73,695	75,497	(1,802)
Operator Certification Support	14,273	98,589	98,589	49,995	23,802	26,193
Well Contractor Permits	23,140	42,310	42,310	24,129	16,029	8,100
Animal Study	17,222	0	0	0	0	0
Water Supply-93 Flood	407,004	50,000	50,000	25,000	12,000	13,000
Wastewater-93 Flood	102,657	0	0	0	0	0
Waste Allocation, Watersheds	65,399	0	0	0	0	0
Lab Certification	92,983	156,500	156,500	78,533	37,709	40,824
Stream Watershed Assessment	21,887	30,750	30,750	15,396	24,939	(9,543)
Coliform Study	36,878	0	0	0	0	0
Total Water Quality	4,883,383	5,175,745	5,175,745	2,815,954	2,329,020	486,934

Environmental Protection Division(Continued)

Budget Units	FY97 Actual	FY98 O/BDGT	FY98 A/BDGT	FY98 YTD A/BDGT	FY98 YTD Actual	Variance Under(Ovr)
Air Quality Bureau:						
Air Quality Regulation & Planning	1,320,174	1,868,931	1,868,931	1,029,575	898,479	131,096
Title V, Permitting, Enforcement	5,518,591	4,729,996	4,729,996	2,575,951	1,635,542	940,409
Total Air Quality Bureau	6,838,765	6,598,927	6,598,927	3,605,526	2,534,021	1,071,505
Land Quality Bureau:						
Waste Management	514,322	634,806	634,806	354,354	299,256	55,098
Solid Waste Authorization	48,066	61,983	61,983	34,837	30,178	4,659
GW Professional Registration	26,157	60,993	60,993	31,973	12,639	19,334
UST	214,249	315,756	315,756	177,286	129,799	47,487
LUST Cleanup	588,873	786,139	786,139	444,280	307,591	136,689
Hazardous Waste Sittng	100,542	208,428	208,428	113,959	41,575	72,384
Remedial Activity	14,770	70,221	70,221	39,523	11,403	28,120
AIDEX Monitoring	5,252	6,600	6,600	3,398	0	3,398
Superfund Program Management	172,371	174,045	174,045	98,818	97,845	973
Multisite, Investigation & Assess.	93,484	55,553	55,553	30,625	79,515	(48,890)
General Motors Site Mngt	2,518	49,834	49,834	28,467	11,932	16,535
Waste Tire Permitting	5,798	1,000	1,000	567	314	253
Emergency Response	203,460	210,899	210,899	119,546	104,016	15,530
BrownFields Task Force	104	25,000	25,000	12,800	516	12,284
BrownFields Development	0	228,208	228,208	120,518	37,050	83,468
LUST Flood Support	305,374	100,000	100,000	50,000	0	50,000
Total Land Quality Bureau	2,295,340	2,989,465	2,989,465	1,660,950	1,163,629	497,321

Budget Units	FY97 Actual	FY98 O/BDGT	FY98 A/BDGT	FY98 YTD A/BDGT	FY98 YTD Actual	Variance Under(Ovr)
Legal & Compliance Bureau:						
LUST Cleanup	517,261	529,073	529,073	301,014	305,751	(4,737)
Air Quality-Field Const. & Mngt	0	163,792	163,792	92,538	62,893	29,645
Air Quality-Field Title 5	556,551	474,201	474,201	268,028	207,243	60,785
Wastewater-Field	1,265,477	1,456,572	1,456,572	809,104	741,890	67,214
Water Supply-Field	604,045	646,810	646,810	365,868	341,864	24,004
Waste Mngt-Groundwater	652,276	709,167	709,167	404,996	342,869	62,127
GW(106), Investigations, Surveys	128,665	0	0	0	0	0
Water Supply Technical Asst.	142,676	203,347	203,347	117,697	81,249	36,448
Livestock-Field	200,428	315,200	315,200	180,053	166,266	13,787
Legal/Compliance Mngt	414,960	451,493	451,493	242,474	229,909	12,565
Total Legal & Compliance Bureau:	4,482,339	4,949,655	4,949,655	2,781,772	2,479,934	301,838
EPD Division Mngt & Misc	171,881	195,023	195,023	109,364	110,089	(725)
Totals, EPD Division	18,671,708	19,908,815	19,908,815	10,973,566	8,616,693	2,356,873

Fish and Wildlife Division

Budget Units	FY97 Actual	FY98 O/BDGT	FY98 A/BDGT	FY98 YTD A/BDGT	FY98 YTD Actual	Variance Under(Ovr)
Law Enforcement:						
NW Enforcement District	952,484	890,300	890,300	503,309	506,406	(3,097)
NW Enf. Boating Safety	0	24,632	24,632	12,894	17,941	(5,047)
NE Enforcement District	1,171,406	1,115,566	1,115,566	630,385	635,929	(5,544)
NE Enf. Boating Safety	0	16,500	16,500	9,200	11,359	(2,159)
SW Enforcement District	772,248	759,342	759,342	428,986	503,460	(74,474)
SW Enf. Boating Safety	0	36,800	36,800	24,200	22,124	2,076
SE Enforcement District	1,016,352	990,455	1,039,535	609,136	598,799	10,337
SE Enf. Boating Safety	0	18,500	18,500	9,472	5,278	4,194
NC Enforcement District	876,134	811,247	862,167	509,315	530,936	(21,621)
NC Enf. Boating Safety	0	27,001	27,001	15,291	10,384	4,907
SC Enforcement District	954,003	922,892	922,892	521,654	455,370	66,284
SC Enf. Boating Safety	0	27,370	27,370	15,987	149,723	(133,736)
Hunter Safety	391,814	358,749	358,749	196,030	237,331	(41,301)
Boating Safety	50,421	358,858	358,858	201,525	152,732	48,793
Snowmobile Safety	34,321	66,742	66,742	37,501	39,508	(2,007)
Big Creek Range Maint.	7,608	7,000	7,000	3,657	2,862	795
Cons. Law Bureau Mngt	508,464	448,401	348,401	192,521	135,560	56,961
Total Law Enforcement	6,735,255	6,880,355	6,880,355	3,921,062	4,015,702	(94,640)

Budget Units	FY97 Actual	FY98 O/BDGT	FY98 A/BDGT	FY98 YTD A/BDGT	FY98 YTD Actual	Variance Under(Ovr)
Fisheries:						
Hatcheries:						
Big Springs Fish Hatchery	210,092	224,012	224,012	123,064	117,745	5,319
Decorah Fish Hatchery	264,824	259,025	259,025	142,249	141,105	1,144
Fairport Fish Hatchery	175,826	161,636	161,636	89,369	91,484	(2,115)
Manchester Fish Hatchery	245,034	259,334	259,334	143,064	141,745	1,319
Rathbun Fish Hatchery	529,805	508,707	508,707	282,799	265,029	17,770
Spirit Lake Fish Hatchery	375,265	373,893	373,893	206,806	189,307	17,499
Total Hatcheries	1,800,846	1,786,607	1,786,607	987,351	946,415	40,936
Fisheries Management:						
NW District	573,882	624,889	624,889	355,776	331,450	24,326
NE District	627,250	646,835	646,835	368,896	371,917	(3,021)
SW District	472,316	500,525	500,525	286,715	282,544	4,171
SE District	526,105	547,152	547,152	314,627	308,534	6,093
Total Fisheries Management	2,199,553	2,319,401	2,319,401	1,326,014	1,294,445	31,569

Fish and Wildlife Division(Continued)

Fisheries Research:						
Mississippi Monitoring	293,663	340,224	340,224	193,583	184,549	9,034
Aquatic Education Project	117,742	98,576	98,576	55,845	80,539	(24,694)
Milfoil Project	91,159	100,454	100,454	52,461	52,526	(65)
Bellevue Fisheries Research	165,970	176,243	176,243	100,758	98,191	2,567
Walleye Fingerling Project	5,000	0	0	0	0	0
Charlton Fisheries Research	260,256	261,182	261,182	150,685	162,016	(11,331)
Cold Springs Fisheries Research	127,595	125,568	125,568	71,836	73,717	(1,881)
Bozeman Project	5,781	5,000	5,000	2,500	0	2,500

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Manchester Fisheries Research	120,913	128,448	128,448	74,150	66,015	8,135
Fish Production Drug Study	20,000	20,000	20,000	10,000	20,000	(10,000)
Rathbun Fisheries Research	145,374	167,375	167,375	93,336	76,650	16,686
Spirit Lake Fisheries Research	142,685	138,252	138,252	78,252	77,699	553
MARIS Study	0	10,000	10,000	5,120	0	5,120
Total Fisheries Research	1,496,138	1,571,322	1,571,322	888,525	891,902	(3,377)
Fisheries Bureau Mngt	462,734	522,887	522,887	279,050	220,618	58,432
Total Fisheries Bureau	5,959,271	6,200,217	6,200,217	3,480,940	3,353,380	127,560

Fish and Wildlife Division(Continued)

Budget Units	FY97 Actual	FY98 O/BDGT	FY98 A/BDGT	FY98 YTD A/BDGT	FY98 YTD Actual	Variance Under(Ovr)
Wildlife Bureau:						
Wildlife Area Maint. & Mngt:						
NW District Operations	1,064,883	1,073,625	1,073,625	607,714	612,657	(4,943)
NE District Operations	997,595	981,479	981,479	556,530	554,147	2,383
SW District Operations	1,022,495	1,022,862	1,022,862	578,849	556,405	22,444
SE District Operations	1,138,702	1,206,422	1,206,422	683,719	672,895	10,824
Wetlands Project Support	24,845	31,872	31,872	18,171	14,884	3,287
Wildlife Area Maint. & Mngt	4,248,520	4,316,260	4,316,260	2,444,984	2,410,988	33,996
Corps WMA Areas, Cond. 5:						
Saylorville Cond 5 WMA	53,064	35,444	35,444	20,402	27,449	(7,047)
DM River Cond 5 WMA	7,661	12,500	12,500	7,983	13,634	(5,651)
Missouri River Cond 5 WMA	0	4,000	4,000	2,048	0	2,048
Red Rock Cond 5 WMA	123,617	161,115	161,115	87,774	61,849	25,925
Coralville Cond 5 WMA	34,526	49,344	49,344	28,083	24,159	3,924
Rathbun Cond 5 WMA	31,576	28,994	28,994	16,508	22,828	(6,320)
Total Corps WMA Mngt	250,444	291,397	291,397	162,798	149,919	12,879
Total WMA Maint. & Mngt	4,498,964	4,607,657	4,607,657	2,607,782	2,560,907	46,875
Wildlife Research:						
Boone Research, State	133,860	189,912	189,912	107,842	89,250	18,592
Boone Research, Federal	107,132	130,043	130,043	73,059	52,388	20,671
Charlton Research, State	87,705	75,943	75,943	43,344	33,082	10,262
Charlton Research, Federal	142,046	152,566	152,566	86,533	77,018	9,515
Clear Lake Research, Federal	139,564	139,840	139,840	79,486	93,065	(13,579)
Neotropical Migrant	13,017	0	0	0	0	0
Clear Lake Research, State	98,941	81,749	81,749	46,996	31,314	15,682
Wildlife Diversity Project	201,777	249,505	249,505	140,058	123,454	16,604
Harvest Information Program Grant	0	0	0	0	1,250	(1,250)
Total Wildlife Research	924,042	1,019,558	1,019,558	577,317	500,821	76,496
Wildlife Depredation Mngt	0	172,466	172,466	100,673	50,243	50,430
Wildlife Bureau Mngt & Misc	1,476,832	1,405,378	1,405,378	775,600	842,214	(66,614)
Total Wildlife Bureau	6,899,838	7,205,059	7,205,059	4,061,372	3,954,185	107,187
FW Division Mngt & Misc	355,869	476,097	476,097	252,510	208,588	43,922
Total FW Division	19,950,233	20,761,728	20,761,728	11,715,884	11,531,855	184,029

Waste Management Assistance Division

Budget Units	FY97 Actual	FY98 O/BDGT	FY98 A/BDGT	FY98 YTD A/BDGT	FY98 YTD Actual	Variance Under(Ovr)
Buy Recycled Business Alliance	0	1,500	1,500	768	0	768
Planning & Grants	138,409	225,863	225,863	120,270	101,039	19,231
Landfill Alternatives	117,871	159,941	159,941	87,620	65,759	21,861
Composting Workshop	13,000	0	0	0	0	0
Waste Mngt Publications	4,240	0	0	0	0	0
Waste Tires Program	38,449	50,188	50,188	28,022	25,232	2,790
Waste Recycling	143,092	252,386	252,386	137,898	149,504	(11,606)
Household Hazardous Waste Adm	224,322	345,299	345,299	183,010	104,271	78,739
Waste Reduction Assistance	98,623	141,870	141,870	78,978	69,589	9,389
WRAP Team	78,063	0	0	0	0	0
Pollution Prevention (WRAP)	47,414	294,192	294,192	154,236	116,401	37,835
Waste Reduction Program	139,848	30,653	30,653	15,601	7,303	8,298
Solid Waste Reduction Grant	2,553	0	0	0	526	(526)
Sustainable Conference	0	35,000	35,000	17,560	14,000	3,560
WMA Division Mngt	214,803	244,335	244,335	136,986	121,104	15,882
Waste Mngt Assistance Totals	1,260,687	1,781,227	1,781,227	960,949	774,728	186,221

Mr. Kuhn reviewed details of the division reports.

Brief discussion followed regarding retirement pay funding for park rangers and conservation officers.

INFORMATIONAL ONLY

LANDFILL ALTERNATIVES FINANCIAL ASSISTANCE PROGRAM APPLICATIONS SELECTED

Roya Stanley, Division Administrator, Waste Management Assistance Division, presented the following item.

Landfill Alternatives Financial Assistance Program Recommendations

For the December 1997 round of funding the Department received for consideration twenty-seven (27) applications, requesting nearly \$5.8 million in financial assistance. From these applications, twelve (12) were recommended for funding totaling \$1,497,781.

A summary of selected applications are attached for the Commission's information. It is anticipated that contracts will be presented to the Commission for approval at the March 1998 meeting.

LANDFILL ALTERNATIVES FINANCIAL ASSISTANCE PROGRAM APPLICATIONS RECOMMENDED -- DECEMBER 1997

Applicant:	Iowa Valley Community College 3702 South Center Street Marshalltown, Iowa 50158	Title:	Multi-County Education Coordinator
		Contact:	Bettie Bolar - (515) 752-4645
Award:	\$84,008 -- Grant		
Project Type:	Education		
Description:	<p>The applicant is seeking assistance to cost share a waste reduction and recycling education coordinator position serving Marshall and Hardin Counties over a two year period. The education coordinator is responsible for providing a variety of educational activities/programs to help people better understand the need to reduce and recycle solid waste. Education activities/programs will target both urban and rural single family and multiple family households, schools, business and industry. The education coordinator will network with other education coordinators across the state and design local programs compatible with a variety of existing state wide programs, such as the Iowa Waste Exchange Program and Waste Reduction Assistance Program, to meet the needs of business and industry.</p> <p>Grant assistance is offered for wages, printing, postage, travel, and supplies.</p> <p>The applicant received a \$78,968 grant in 1995 to establish the recycling director position.</p>		
Applicant:	BES Industrial Service, Inc. 6738 6th Street SW Cedar Rapids, Iowa 52405	Title:	Post-Industrial Plastic Recycling
		Contact:	Glen Stouwie - (319) 366-7266
Award:	\$197,293 -- Loan		

Project Type:	Recycling
Description:	<p>The applicant is proposing to upgrade and expand processing capabilities for post industrial plastics. With the project implemented, the applicant will be able to process up to 2.5 million pounds of plastic waste. Targeted waste plastics include but are not limited to ABS, Polystyrene, PVC, Polycarbonate, plastic film, etc. Processed post industrial plastic waste is marketed nationally.</p> <p>Loan assistance is offered for equipment, a semi tractor and trailer.</p> <p>The applicant received a \$283,000 grant in 1992 to establish a post-industrial plastic waste recycling facility.</p>
Applicant:	<p>NorthLand Agency on Aging, Inc. 808 River Street Decorah, Iowa 52101</p> <p>Title: Reusable Meal Tray Program Contact: Sheri Borcharding-(319) 382-2941</p>
Award:	\$15,266 -- Grant
Project Type:	Waste Reduction At The Source
Description:	<p>The applicant provides a nutrition program for elderly persons residing in Allamakee, Fayette and Winneshiek Counties through congregate meal and home delivered meal programs. The applicant currently serves 174,500 meals annually. 62,550 of these meals served are home delivered meals, served in disposable meal containers. The project involves replacing disposable meal items with reusable meal trays, bowls, etc. This waste reduction project compliments current recycling of cardboard, food cans, glass and other recyclables by the agency at meal preparation sites. The project will divert a minimum of 10.6 cubic yards of nonrecyclable solid waste from the landfill annually.</p> <p>Grant assistance is offered to assist in the purchase of reusable trays and containers, meal delivery bags, and dishwashers.</p> <p>The applicant has not received previous financial assistance through this program.</p>
Applicant:	<p>Iowa Recycling Association 3 East Benton Iowa City, Iowa 52240</p> <p>Title: Executive Director Position Contact: Andy Ockenfels-(319) 351-2848</p>
Award:	\$193,597 -- Grant
Project Type:	Education
Description:	<p>The applicant is seeking assistance to cost share funding a new position to coordinate statewide recycling education activities over a three year period. Specific activities include identification and assessment of recycling education and market development needs of Iowa's education coordinators, develop and promote a statewide coordinated message on waste reduction and recycling, identify existing recycling education resources, best management practices and provide updates of these resources on the IRA website, provide workshops for recycling education coordinators and teachers to utilize the website, on best management practices and recycling market development concepts to enhance local programs and other activities to benefit recycling education statewide.</p> <p>Grant assistance is offered for wages, travel, printing/postage, conference registration and exhibitor fees.</p>

The applicant has not received previous financial assistance through this program.

Applicant:	U.T. Tire Recyclers 2510 Bell Ave. Des Moines, Iowa 50321	Title: Contact:	Scrap Tire Recycling Rob Jahries - (515) 243-3484
Award:	\$ 448,993- Combination \$358,170 - Grant \$90,823 - Loan		
Project Type:	Combination Demonstration and Recycling		
Description:	The applicant is proposing to become Iowa's first crumb rubber producer. Waste tires processed into crumb rubber will be marketed for use in new tire manufacturing and as a raw material in the production of several other rubber products. Current Iowa crumb rubber users must import crumb rubber from non-Iowa sources. The proposed project also involves expanding waste tire processing capabilities to include large off-the-road tires (earth moving tires, tractor tires, heavy equipment tires, etc.). Waste tires are collected statewide and the applicant is a primary outlet for counties collecting waste tires through the Waste Tire Management Program.		

Grant and loan assistance is offered for the purchase and installation of equipment.

The applicant has not received previous assistance through this program.

Applicant:	Buchanan County Conservation Board 1883 125th Street Hazelton, Iowa 50641	Title: Contact:	Recycled Playground Education Harry Graves - (319) 636-2617
Award:	\$ 26,150-- Grant		
Project Type:	Education		
Description:	The applicant is proposing to purchase and install two playground areas constructed of recycled content materials. The project will serve as a publicly accessible and permanent "hands on" tools for educating and developing environmental awareness. Playground signage combines waste reduction and recycling themes. Playground use will be incorporated into formal and informal education programs conducted by area schools and through the applicant's ongoing environmental awareness activities. The project will promote "closing the loop" message through demonstration of recycled content end products. The applicant is proposing to use a variety of park use surveys to evaluate effectiveness of this education tool.		

Grant assistance is offered for recycled content playground equipment purchase and installation.

The applicant has not received previous financial assistance through this program.

Applicant:	Bi-State Regional Comprehensive Solid Waste Management Planning Region 1504 Third Avenue Rock Island, IL 61204	Title: Contact:	Waste Management Public Awareness Gena McCullough-(309) 793-6300
Award:	\$78,930 -- Grant		
Project Type:	Education		
Description:	The applicant is proposing a region-wide public awareness campaign covering such issues as illegal dumping, composting, waste reduction, recycling and household hazardous waste. Providing a coordinated education message throughout the planning		

area will increase awareness and participation in existing programs. The project will use printed, electronic and other forms of communication to convey a unified message of waste reduction, recycling, backyard composting and other solid waste management methods throughout six Iowa counties in the eight county planning area.

Grant funds are offered for education materials, website development and wages.

The applicant has not received previous financial assistance through this program.

Applicant:

Southwest 8 Senior Services, Inc.
3319 Nebraska Ave.
Council Bluffs, Iowa 51501

Title: Reusable Meal Tray Program
Contact: Barbara Blocker-(712) 328-2540

Award:

\$2,424 -- Grant

Project Type:

Waste Reduction At The Source

Description:

The applicant is proposing to purchase and install a dishwasher for sanitizing reusable meal containers used at congregate and home delivered meal sites in southern Page County. This kitchen site serves approximately 70 seniors daily. Without a new efficient dishwasher, reusable meal containers can not be properly sanitized for reuse. This waste reduction project compliments current recycling at meal preparation sites.

Grant assistance is offered for the purchase and installation of a new dishwasher.

The applicant received two previous awards:

1. \$6,114 grant in 1992 to implement the use of reusable meal containers in a portion of their eight county service area.
2. \$10,501 grant in 1996 to expand the reusable meal container program. The agency serves over 273,000 meals annually.

Applicant:

Creative Composting Concepts
1811 Park Avenue SE
Cedar Rapids, Iowa 52403

Title: Home Composting Awareness Campaign
Contact: Stacie Johnson - (319) 368-6658

Award:

\$46,072 -- Grant

Project Type:

Education

Description:

Through a public awareness and training campaign, the applicant is proposing to divert household organic waste from Iowa landfills by means of promoting backyard composting. Through the community colleges, backyard composting workshops will be conducted to train individuals who in turn will conduct future workshops. The ISU Extension Office will incorporate the program as part of their Master Gardeners recertification program. The project involves a three phase approach, 1) community composter workshops, 2) subsidize backyard compost bin distributions in selected cities, and 3) conduct follow-up surveys of bin recipients. The project will be implemented in selected cities located in Linn County, Dubuque County and Woodbury County.

Grant funds are offered for education materials, compost bins and follow-up survey.

The applicant has not received previous financial assistance through this program.

Applicant:	Elderbridge Agency on Aging 22 North Georgia - Suite 216 Mason City, Iowa 50401	Title:	Reusable Meal Tray Program
Award:	\$34,048 - Grant	Contact:	Jeanne Beatty - (515) 424-0678
Project Type:	Waste Reduction At The Source		
Description:	<p>The applicant is proposing to continue expanding the use of reusable meal containers for congregate site and home delivered meal programs to eleven new meal preparation sites. The applicant service area provides meal programs from 59 meal sites throughout twenty counties in thirteen different planning areas serving 3,100 meals daily. The project involves replacing disposable meal items with reusable meal trays, bowls, etc. This waste reduction project compliments current recycling of cardboard, food cans, glass and other recyclables by the agency at meal preparation sites.</p> <p>Grant funds are offered for the purchase of reusable containers, insulated tray carriers and dishwashers.</p> <p>The applicant received an \$87,354 grant in 1996 to initiate the use of reusable containers in their multi-county nutrition program.</p>		
Applicant:	Landfill of North Iowa 15942 Killdeer Avenue Clear Lake, Iowa 50428	Title:	Wood Waste Recycling
Award:	\$230,000 -- Loan	Contact:	Rob Kraemer - (515) 357-5452
Project Type:	Recycling		
Description:	<p>The applicant is proposing to increase diversion of wood waste by relocating the wood waste processing site nearer to the landfill's active cell. This relocation coupled with a reduced tipping fee for wood waste will facilitate increased diversion. It is projected that the 100 ton per week diversion will increase by 25%. Processed wood waste will be used at the landfill for erosion control and marketed for animal bedding and mulch. The applicant is also investigating the beneficial use of shredded waste wood in hog manure composting through a joint effort with North Iowa Area Community College.</p> <p>Loan assistance is offered for construction of a processing pad, equipment, and engineering costs.</p> <p>The applicant received a \$140,000 grant in 1991 to construct and equip a regional yard waste composting program.</p>		
Applicant:	Rathbun Area Solid Waste Management Commission 1209 S. 18th Street Centerville, Iowa 52544	Title:	Recycling Center Expansion
Award:	\$141,000 -- Loan	Contact:	Rodger Kaster - (515) 437-7279
Project Type:	Recycling		
Description:	<p>The applicant is proposing to improve processing efficiency and worker safety at the existing recycling center. Current conditions are over crowded in the processing area and processed materials require outside storage exposing finished product to the elements prior to marketing. The applicant will construct an addition to the processing facility to accommodate efficient processing and storage. The applicant has experienced a 300% increase in materials received since the original facility was</p>		

constructed and now receives over 1,200 tons per year. The facility processes materials for Appanoose, Wayne and Monroe Counties.

Loan assistance is offered for construction and processing equipment.

The applicant has received a \$107,350 grant in 1992 to establish the recycling.

Ms. Stanley distributed copies of graphs showing expenditures for the Landfill Alternative Financial Assistance program. The graph in purple shows the expenditures as well as the requests by the Public, Private for Profit, and Not for Profit categories. She noted that the graph in green shows the expenditures and requests in the categories of Education, Waste Reduction, Loans, and Research and Development/Demonstration. She related that there was a lot in the way of loans in 1994-95, and in 1996 more was awarded in Research and Development. In late 1997 it was again leaning more in the way of loans. Ms. Stanley added that she will be watching these numbers to see if there are indications of patterns going on there. She noted that in sustaining the fund staff will be moving in the direction of loans.

Chairman Ehm commented that in listening to the Commissioners when reviewing these grants, they would like to see the trend continue towards loans for the sustainability of the fund. If an idea works from a financial standpoint the person can pay back the loan, and it is probably a more viable project. He added that this is a better approach than just pumping money into it.

Ms. Stanley reviewed details of each of the selected applications and recommendations.

Terrance Townsend commented that he has a concern about the effectiveness of the satellite approach where training occurs at every nook and cranny in the state versus a central core of people that are feeding information out to people.

Ms. Stanley stated that she shares that concern and it is something her staff will be looking at, adding that she is thinking about some type of unified, strategic educational effort for the state.

Ms. Stanley stated that one other grant not included in the packet is on oil filter recycling and that application was sent back for additional information. She related that it may come to the Commission at a later date.

Brief discussion followed regarding the UT Tire project; dispensing composting bins through the Creative Composting Concepts project; and using recycled foam rubber matting under playground equipment.

INFORMATIONAL ONLY

PUBLIC PARTICIPATION

Warren Bloom (composting)

Warren Bloom, Brown Bear Manufacturing, stated that he recently received a pamphlet the pork industry put out and was appalled that he could not find the word "compost" anywhere in it. He related that he has worked with composting for twenty years and wanted the Commission to know that his company is available to help anyone who wants, in regard to composting equipment. He expanded on the subject of composting and fertilizer. Mr. Bloom noted that he spoke to the Pork Council relating that manure is discussed in the pamphlet but there is nothing about composting. He added that his point in coming before the Commission is to make them aware of the facts and of what is available for composting.

CONTRACT APPROVAL - MCATEE WASTE TIRE STOCKPILE ABATEMENT PROGRAM

Roya Stanley, Division Administrator, Waste Management Assistance Division, presented the following item.

Project Description

The Commission is requested to review and consider approval of the attached contract with Greenman Technologies of Minnesota, Inc. for the removal, processing, and recycling of all waste tires located at the McAtee Stockpile site, a nuisance stockpile of approximately 250,000 waste tires, located near Jefferson, in Greene County. The contract amount is for a total of \$174,875.00, based upon the estimated tonnage of tires present.

The contract implements the goals of Iowa Administrative Code Chapter 218, "Waste Tire Stockpile Abatement Program," to abate waste tire stockpiles that pose a nuisance to the environment, or to public health, safety or welfare, through awarding of contracts by the department.

The Waste Management Assistance Division issued a request for proposal (RFP) in December 1997 to solicit services from qualified firms for this stockpile abatement project. The Commission received a copy of the RFP format for its information at the January 1998 meeting.

Request for proposal process

A total of six (6) bidders responded to the RFP:

- Central States Tire Disposal - Sioux City, IA
- Environmental Tire Disposal - Memphis, TN
- Greenman Technologies of Minnesota - Savage, MN
- Tri-State Environmental - St. Louis, MO
- UT Tire Recyclers - Des Moines, IA
- Waste Recovery of Illinois - Dupon, IL

Waste Management Assistance in conjunction with the Environmental Protection Division reviewed each proposal. The selection process was constructed with a 100 point evaluation scale, with 40 possible points based on the price competitiveness of the bid, and 60 possible points determined from the bidders' qualifications, references, and evidence of valued-added end markets for all tires to be processed through the project. Scores received ranged between 36 and 94 points. A summary of review scores for all bidders is listed on the next page.

BIDDER REVIEW SCORE SUMMARY

Bidder	Price Per Tire	Method of Processing	End-Market	Score
Greenman Technologies Savage, MN	\$0.70/tire \$69.95/ton	Load whole tires, haul back to processing plant	Contracts and orders from Holnam Cement and Big Stone power plant for TDF	94
UT Tire Des Moines	\$0.85/tire \$85.00/ton	Load whole tires, haul back to processing plant	Contracts and orders from Holnam Cement and U of I for TDF	78
Tri-Rinse St. Louis, MO	\$0.99/tire \$98.50/ton	Shred tires on site	ADM, Decatur, Illinois for TDF - general letter of acceptance by end-user	66
Waste Recovery Dupo, IL	\$1.19/tire \$119.16/ton	Load whole tires, haul back to processing plant	Contracts and orders from Illinois & Wisconsin Power for TDF	60
Central States Tire Sioux City	\$1.08/tire \$108.00/ton	Bale tires on site	Feedlot sub-base at Nebraska permitted site	48
Environmental Tire Disposal Memphis, TN	\$1.10/tire \$110.00/ton	Bale tires on site, ship by barge	Army Corps of Engineer permitted project to fill "scour" on Mississippi R.	36

Selected Bidder

Greenman Technologies of Minnesota received the highest review score (94 out of 100 points), and was selected as the recommended contractor for this project. Greenman Technologies Inc., is a licensed and bonded waste tire processing firm based in Savage, Minnesota. The Department recommends selection of this contractor based upon the following factors:

- The contractor has over 10 years of experience in the waste tire processing industry, recycling over 6 million waste tires per year (Iowa generates a total of 3 million annually).
- The contractor has successfully completed other stockpile abatement projects throughout the Midwest, and has extensive references from state agencies and private firms.
- The contractor has definitive contracts and purchase orders to supply Holnam Cement, Mason City, and OtterTail Power Company, Millbank, South Dakota, with tire-derived fuel (TDF) from the waste tires processed through this project.

- The contractor will remove all waste tires from the project site within a 90 day time frame. The contractor will not process the waste tires directly on site, as all waste tires will be loaded and transported directly to their processing facility in Savage, Minnesota.
- The contractor's bid of \$70 per ton (approximately \$.70 per tire) for removal was the lowest bid received by the Department through the RFP.

Greenman Tire Inc. annually processes over 700,000 waste tires from Iowa, through its contracts with tire dealers, auto dealerships, and landfills throughout Northern and Eastern Iowa. The contractor is also a licensed and bonded waste tire hauler within Iowa.

Stockpile selected for abatement activities

The Department selected the McAtee Stockpile for abatement activities based on the following criteria:

- The site contains approximately 250,000 waste tires, and as such the site qualifies as an initial priority through administrative rules for the program.
- The site does, and has presented definite risks, including a fire at the stockpile site in the early 1980s, which forced the closure of U.S. 30 west of Jefferson.
- The site owner agreed to a cost-share with the Department for costs associated with this cleanup. The owner will provide a \$25,000 co-payment, and will also be responsible for proper removal and disposal of other solid waste at the site. The owner will also conduct site remediation activities after the tire removal in order to prevent soil erosion and to restore vegetation.

Please note that the waste tires contained at this site were placed by the owner prior to any regulation on waste tire collection, and the site owner did not receive payment for accepting the waste tires.

The Department anticipates bringing additional contracts to the Commission for review and potential approval this spring, including contracts for abatement projects at the Hollis DeVoe sites in Chickasaw County, and a number of sites in the Madison/Warren County area.

(A copy of the contract with Greenman Technologies is on file in the department's Records Center)

Ms. Stanley reviewed the bids that were submitted and expanded on details of the contract. She noted that the department recommends approval of a contract with Greenman Technologies in the amount of \$174,875.

Rita Venner asked if there is anything written in the contract relating to a previous fire at the site and whether they perceive any problem with regard to cleanup.

Ms. Stanley stated that the contractor does not foresee any difficulties with that.

Discussion followed as to the accuracy of the estimated number of tires on site.

Motion was made by Rozanne King to approve the contract with Greenman Technologies for cleanup of the McAtee Stockpile site. Seconded by Terrance Townsend. Motion carried unanimously.

APPROVED AS PRESENTED

MONTHLY REPORTS

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The following monthly reports are enclosed with the agenda for the Commission's information.

1. Rulemaking Status Report
2. Variance Report
3. Hazardous Substance/Emergency Response Report
4. Enforcement Status Report
5. Contested Case Status Report

Members of the department will be present to expand upon these reports and answer questions.

RULEMAKING STATUS REPORT

February 1, 1998

Proposal	Notice to Comm	Notice Publish	Rules Review Comm	Hearing	Final Summary to Comm	Rules Adopted	Rules Publish	Rules Review Comm	Rule Effective
1. Ch. 20, 22, 23, 24, 25, 28, 29 and 31 - Air Quality Rules	12/15/97	1/14/98	2/3/98	2/13/98	*3/16/98	*3/16/98	*4/08/98	*5/4/98	*5/13/98
2. Ch. 22 - Air Quality Permits	2/16/98	*3/11/98	*4/06/98	*4/ /98	*5/18/98	*5/18/98	*6/17/98	*7/06/98	*7/22/98
3. Ch. 22, 23, and 25, Hospital, Medical and Infectious Waste Incinerators, and Municipal Waste Combustors	*3/16/98	*4/08/98	*5/04/98	*5/ /98	*6/15/98	*6/15/98	*7/15/98	*8/10/98	*8/19/98
4. Ch. 44 - Drinking Water Revolving Fund	8/18/97	9/10/97	10/07/97	10/7,13-17/97	12/15/97	12/15/97	1/14/98	*2/03/98	*2/18/98
5. Ch. 49, 64 and 69 - Nonpublic Water Well Construction and Private Sewer System Construction Standards	10/20/97	11/19/97	12/08/97	12/9-11, 15 and 17/97	*3/16/98	*3/16/98	*4/08/98	*5/04/98	*5/13/98
6. Ch. 50, 51, and 52 - Agricultural Drainage Wells	8/18/97	9/10/97	10/07/97	10/7,8,10 /97	12/15/97	12/15/97	1/14/98	*2/03/98	*2/18/98
7. Ch. 92 - State	1/20/98	2/11/98	*3/09/98	*3/03/98	*4/20/98	*4/20/98	*5/20/98	*6/09/98	*6/24/98

Revolving Fund									
8. Ch. 102 and 103 - Solid Waste	12/15/97	1/14/98	2/03/98	2/04/98	*3/16/98	*3/16/98	*4/08/98	*5/04/98	*5/13/98
9. Ch. 134 - Registration of Groundwater Professionals	10/20/97	11/19/97	12/08/97	-----	2/16/98	*2/16/98	*3/11/98	*4/06/98	*4/15/98

Monthly Variance Report - January 1998

No.	Facility	Program	Subject	Decision	Date
1	Bertch Cabinet, Inc.-Waterloo	Air Quality	Permit Requirements	Denied	01/02/98
2	MidAmerican Energy-Riverside Generating Station-Scott County	Air Quality	Permit Requirements	Approved	01/10/98
3	DNR-Springbrook State Park-Guthrie County	Wastewater	Reliability	Approved	01/02/98
4	Seabee Corporation-Hampton	Wastewater	Monitoring Frequency	Approved	01/26/98
5	Chickasaw County Sanitary Landfill	Solid Waste	Cover	Approved	01/23/98
6	MidAmerican Energy-Port Neal South Generating Station-Woodbury County	Solid Waste	Coal Combustion Residue	Approved	01/13/98
7	MidAmerican Energy-Port Neal South Generating Station-Woodbury County	Solid Waste	Permit Exemptions	Approved	01/13/98

Monthly Spill Report

From January 1, through January 31, 1998, 42 reports of hazardous conditions were received. A general summary and count by field office is presented below.

Month	Total Incidents	Petro-leum Product	Agri - Chemical	Other Chemicals	Handling and Storage	Pipe-line	Highway Incident	RR Incident	Fire	Other
Oct.	70(52)	37(28)	17(10)	16(14)	28(31)	6(0)	28(13)	5(4)	0(0)	3(4)
Nov.	44(33)	25(18)	9(9)	10(6)	15(16)	3(0)	23(12)	2(2)	0(0)	1(3)
Dec.	52(33)	27(20)	19(3)	6(10)	21(16)	4(1)	22(12)	4(0)	0(1)	1(3)
Jan.	42(39)	32(28)	3(4)	7(7)	19(20)	2(1)	16(15)	1(2)	1(0)	3(1)

(numbers in parentheses for the same period in fiscal year '97)

Total Number of Incidents Per Field Office This Period:

1	2	3	4	5	6
2	3	7	6	15	9

ENFORCEMENT REPORT UPDATE

<u>Name, Location and Field Office Number</u>	<u>Program</u>	<u>Alleged Violation</u>	<u>Action</u>	<u>Date</u>
Oelwein, City of (1)	Wastewater	Discharge Limits	Order	1/5/98
Ryan Robertson, Henry Co. (6)	Animal Feeding Operation	Prohibited Discharge; Open Feedlot	Order	1/23/98
Bruce Edwards, Buena Vista Co. (3)	Animal Feeding Operation	Prohibited Discharge; Confinement	Order	1/23/98
Robert Butler, Laurens (3)	Animal Feeding Operation	Prohibited Discharge; Confinement	Order/Penalty \$3,000	1/23/98
Jacob Yoder, Johnson Co. (6)	Animal Feeding Operation	Prohibited Discharge; Confinement, Open Feedlot	Order/Penalty \$3,000	1/23/98
Chuck & Gayle VanVeldhuizen Sioux Co. (3)	Animal Feeding Operation	Construction Without Permit	Consent Order/ Penalty \$500	1/23/98
Ed Engelbrecht d/b/a E & E Auto Salvage, Lee Co. (6)	Air Quality; Solid Waste	Open Burning; Illegal Disposal	Order/Penalty \$1,000	1/23/98
Russell Barkema d/b/a Barkema Construction, Wright Co. (2)	Air Quality; Solid Waste	Open Burning; Illegal Disposal	Order/Penalty \$1,000	1/23/98
Harold Unternahrer, Washington Co. (6)	Animal Feeding Operation	Prohibited Discharge-Open Feedlot; Water Quality Violations-General Criteria	Order/Penalty \$3,000	1/30/98

SUMMARY OF ADMINISTRATIVE PENALTIES

<u>NAME/LOCATION</u>	<u>PROGRAM</u>	<u>AMOUNT</u>	<u>DUE DATE</u>
Marvin Kruse d/b/a K & C Feeds (Luana)	UT	300	12-01-92
Don Grell d/b/a Dodger Enterprises (Ft. Dodge)	AQ	10,000	2-16-93
Duane Pospisil d/b/a Duane's Service (Lisbon)	UT	1,000	5-04-93
Melvin Foubert d/b/a Mel's Repair Service (What Cheer)	UT	400	12-13-93
Stan Simmer d/b/a Tire City (Des Moines)	UT	600	12-21-93
Leland Koster and Jim Koster (Alexander)	UT	350	6-11-94
Coralville Lake Terrace Assn. (North Liberty)	WS	550	9-01-94
Bill Dettman d/b/a Dettman Oil Co. (Fonda)	UT	2,800	9-15-94
Hidden Valley Mobile Home Court (Washington Co.)	WS	200	10-22-94
*Dale Hall d/b/a Hall Oil Co. (Des Moines)	UT	250	11-15-94
William R. Hennessey & Son, Inc. (Cedar Rapids)	UT	2,670	12-06-94

Donald K. Schmidt (Cedar Rapids)	UT	3,000	12-27-94
Collier Oil Co.; Clark Concrete Co. (Onawa)	UT	3,300	1-22-95
Rock Falls Lounge (Rock Falls)	WS	1,500	6-12-95
Fremont County Sanitary Landfill (Fremont Co.)	SW	5,000	7-05-95
David A. Dohlman d/b/a Dave's Conoco (Dumont)	UT	2,300	7-18-95
M & L Service; Loyal Dorr; Mark Courtney (Guthrie Center)	UT	1,000	8-30-95
Norman Klynsmas d/b/a OK One Stop Service (Hospers)	UT	2,000	9-01-95
Searsboro, City of	WW	2,500	11-08-95
Economy Solar Corp. (Monticello)	AQ	7,500	11-25-95
Elery Fry; Allen Fry; Becky Sandeen (Monroe Co.)	SW	6,000	1-20-96
Patrick McCoy (Keokuk Co.)	AQ/SW	2,000	2-10-96
Cheryl Straughn d/b/a Cher's Mini Mart (Chapin)	UT	600	2-21-96
Dennis Sharkey d/b/a Sharkey Bldg. Wrecking (Dubuque)	AQ	2,000	3-11-96
David Kramer (Camanche)	UT	600	5-03-96
Latimer, City of	WS	150	5-03-96
Ainsworth, City of	WS	150	5-03-96
McClelland Bar & Grill (Council Bluffs)	WS	100	5-06-96
Paul L. Dunkel (Delaware Co.)	SW	1,500	6-27-96
*Orrie's Supper Club, Inc. (Hudson)	WS	650	7-15-96
Plantation Village Mobile Home Park (Burlington)	WW	1,000	8-01-96
Dennis L. Mattison (Winnebago Co.)	AQ/SW	600	9-03-96
Howard Victor and Wanda Victor (Des Moines)	UT	10,000	10-21-96
Riverside Lutheran Bible Camp (Story City)	WS	500	10-28-96
Wunschel Oil, et.al. (Battle Creek)	UT	4,400	12-23-96
Gassman's MHP & Spruce Harbor Inn (Dubuque)	WS	4,500	12-26-96
Mark Anderson d/b/a Westside Park for Mobile Homes; M A, Inc. (Burlington)	AQ/SW	1,000	1-03-97
*Ken Frese (Keokuk Co.)	AQ/SW	175	1-09-97
J.F.V. Corporation; Frank Hawk; Sharon Hawk (Prole)	UT	600	2-19-97
Hofer's Danceland Ballroom (Walford)	WS	3,188	4-19-97
Ronald Slocum; Tammy Lynn Determan (Marshall Co.)	SW	10,000	5-24-97
Tom Ashland (Clear Lake)	UT	5,300	6-04-97
*Vernon Kinsinger d/b/a K & K Sanitation (Washington Co.)	AQ/SW	9,530	6-05-97
Robert Jeff White (Dallas Co.)	AQ/SW	10,000	7-14-97
Fibred-Iowa, Inc. (Iowa Falls)	AQ	2,000	7-29-97
Sandra Gebhardt (Clayton Co.)	FP	2,000	9-28-97
Roy E. Hawkins (Newton)	SW	1,000	10-22-97
Wareco System of Iowa (Coralville)	UT	200	10-24-97
*#John Adam (Keokuk Co.)	WW	5,000	3-15-98
South Park Mobile Home Park (Iowa Falls)	WW	1,000	1-04-98
David McClellan (Hardin Co.)	SW/AQ	500	1-23-98
James LaFollette d/b/a Jim's Tree Service; Kurt Douglas (Marion Co.)	AQ/SW	2,000	2-16-98
# Doug Renze (Sac County)	WW	3,000	2-23-98
Deer Ridge Estates (Ottumwa)	WS	100	-----
# Irvin Leichty (Henry Co.)	WW	3,000	3-30-98
# Chuck and Gayle VanVeldhuizen (Sioux Co.) CONSENT	AFO	500	-----
# Robert Butler (Laurens)	AFO	3,000	3-28-98
# Jacob Yoder (Johnson Co.)	AFO	3,000	3-29-98
Ed Engelbrecht d/b/a E & E Auto Salvage (Lee Co.)	AQ/SW	1,000	-----
Russell Barkema d/b/a Barkema Construction (Wright Co.)	AQ/SW	1,000	-----
# Harold Unternahrer (Washington Co.)	AFO	3,000	-----
James Mills (Webb)	AQ/SW	3,000	-----
Webb, City of	AQ/SW	3,000	-----

Environmental Protection Commission Minutes

February 1998

Enviro Safe Air, Inc. (Creston)	AQ	10,000	----
Ira and Debbý Cooley; Karen Sauer (Keokuk Co.)	AQ/SW	1,000	----
TOTAL		150,063	

The following cases have been referred to the Attorney General:

Donald P. Ervin (Ft. Dodge)	SW	669	3-05-90
Robert and Sally Shelley (Guthrie Center)	SW	1,000	3-04-91
Vernus Wunschel d/b/a Wunschel Oil (Ida Grove)	UT	300	1-12-92
Verna and Don Reed; Andrea Silsby (Union Co.)	SW	1,000	4-07-94
Relative, Inc.; Doug Smuck (Des Moines)	UT	3,070	10-11-94
Relative, Inc.; Doug Smuck (Des Moines)	UT	600	10-11-94
Trust Trucking Corp.; Jim and Brenda Huyser (Lovilia)	UT	840	11-01-94
Paul Underwood d/b/a Underwood Excavating (Cedar Rapids)	AQ	4,000	3-24-95
Oscar Hahn (Solon)	AQ/SW	2,000	8-29-95
Randy Ballard (Fayette Co.)	FP	2,000	5-30-95
ESCORP Associates Ltd.; Arnold Olson (Cedar Rapids)	AQ	10,000	7-09-95
Brian McKernan d/b/a Hickory Grove MHP (Story Co.)	WW	1,000	4-15-96
Long Branch Tavern (Monmouth)	WS	100	5-01-96
Long Branch Tavern (Monmouth)	WS	6,400	10-28-96
Long Branch Tavern (Monmouth)	WS	200	3-18-97
*R.V. Hopkins, Inc. (Davenport)	AQ	10,000	11-15-95
Dean Williams d/b/a Williams Oil Co. (Stuart)	UT	4,800	
*Home Asbestos & Lead Abatement Services (Johnston)	AQ	350	7-02-94
Carpenter Bar & Grill (Carpenter)	WS	725	9-27-96
TOTAL		49,054	

The following administrative penalties have been appealed:

<u>NAME/LOCATION</u>	<u>PROGRAM</u>	<u>AMOUNT</u>
Joe Eggers, Jr., et.al. (St. Ansgar)	SW	1,000
Hickory Hollow Water Co. (Ankeny)	WS	400
Wayne Transportation, Inc. (Greene)	WW	1,000
Mulgrew Oil Company (Dubuque)	HC	500
Charles Kerr (Sloan)	UT	600
Chickasaw Co. SLF, et.al. (Chickasaw Co.)	SW	1,000
Plymouth Cooperative Oil Co. (Hinton)	WW	1,000
Dean Hoeness d/b/a Hoeness & Sons (Winterset)	UT	300
King's Terrace Mobile Home Court (Ames)	WW	500
ITWC, Inc. (Malcom)	AQ	1,000
Frank Hulshizer (Benton Co.)	SW	500
LeMars, City of	WW	5,000
Crane Co. d/b/a Crane Valves (Washington Co.)	SW	500
Donald Udell (Plymouth Co.)	SW	1,000
Oakwood Park Water, Inc. (Ankeny)	WS	1,000
U.S. Dept. of Defense (Sioux City)	UT	5,720
Waverly Gravel & Ready-Mix aka Shell Rock Sand and Gravel (Shell Rock)	AQ	3,000
Coastal Mart, Inc.-Store #1081 (Davenport)	UT	5,320
HiWay Texaco, Ltd.; Roger Kanne; Rick Kanne (Bagley)	UT	5,000

Joseph L. Ranker; Daryl Hollingsworth (Indianola)	UT	4,000
Tom Wiseman (Sheffield)	UT	3,500
Karl and Thelma Boylan d/b/a Boylan's Service (Northboro)	UT	1,800
William Jensen d/b/a B & B Tire & Oil Co. (Avoca)	UT	2,300
Crabtree Lake Resort (Rhodes)	WW	5,400
Elmer R. Faust d/b/a Faust Garage & Grocery (Delaware)	UT	2,300
American Coals Corporation - Site #5 (Bussey)	AQ/SW	10,000
H.E.W., Inc. aka Hazardous Environmental Wastes, Inc. aka Algona Roofing & Insulation, Inc. (Algona)	AQ	5,000
Bankston, City of	WS	550
Wunschel Oil, et.al. (Ida Grove)	UT	10,000
Jim Foust (Indianola)	SW	2,175
Titan Wheel International, Inc. (Walcott)	WW	10,000
Ronald Sizemore and Mark Murphy (Eldora)	UT	3,200
Keith Owens and Howard Maurer (Wilton)	UT	3,100
Tom Babinat d/b/a Tom's Car Care (Grundy Center)	UT	3,600
Richard Beckett (Villisca)	UT	1,300
Henry and Randy Krohn d/b/a Krohn Const. (Waukee)	AQ/SW	4,000
James and Roxann Neneman; J&R Mini Mart (Council Bluffs)	UT	3,900
Simonsen Industries, Inc. (Cherokee Co.)	WW	5,000
Sale-R-Villa Const., Inc. (Perry)	AQ	10,000
Dennis Malone & Joanne Malone (Morning Sun)	UT	600
Economy Solar Corp.; Jeffrey C. Intlekofer (Cedar Rapids)	AQ	10,000
Marty Feinberg d/b/a Feinberg Scrap Iron; Betty Feinberg; F & F Metals (Lee Co.)	HC/WW	10,000
Earth Media Technologies, Inc. (Polk Co.)	SW	3,000
Pilot Oil Corporation (Walcott)	WW/UT	5,000
Leonard C. Page (Adams Co.)	SW	3,000
Boyer Valley Company (Arion)	WW	8,000
Wilbur McNear; Gilbert Persinger (Smithland)	UT	2,500
Donald Krieger (Terrill)	UT	600
Donald J. Foreman d/b/a D & R Feedlots (Woodbury Co.)	WW	3,000
Wilbur McNear d/b/a McNear Oil Co. (Charter Oak)	UT	2,000
Holiday Mobile Lodge, Inc. (Johnson Co.)	AQ/SW	2,000
Shell Rock Products, Inc. (Butler Co.)	AQ/SW	10,000
E.L. Incorporated (Algona)	SW	5,000
Weber Construction, Inc. (Cascade)	AQ	4,000
Tri-County Bank & Trust (Cascade)	AQ	4,000
Jack Pinney Operations, Inc. (Sioux City)	AQ	4,000
Roy Burger (Gillette Grove)	UT	5,400
Spencer Municipal Hospital (Spencer)	AQ	3,000
Westside Park for Mobile Homes (Burlington)	WW	3,000
Climax Molybdenum Company (Ft. Madison)	HC/AQ	10,000
Clarence, City of	WW	3,000
Daryl & Karen Hollingsworth d/b/a Medora Store (Indianola)	UT	4,800
Hidden Valley Mobile Home Park (Washington)	WW	2,000
Markley Knock d/b/a Knock's Bldg. Supply (Parkersburg)	AQ/SW	2,000
Russell Staggs (Muscatine Co.)	AQ/SW	2,000
Obie's Hurstville Tap, Inc. (Maquoketa)	WS	100
Edward Bodensteiner (Des Moines)	UT	3,200
Dallas County Care Facility (Adel)	WW	2,500
Mount Joy Mobile Home Park (Davenport)	WW	2,000
Louisa-Muscatine Community School (Letts)	WS	500
Davenport Travel Plaza (Walcott)	WS	250

Vermeer Manufacturing Co. (Pella)	AQ	10,000
Gary Walker (Montgomery Co.)	AQ/SW	3,000
Haasco, Ltd. (Dubuque)	AQ	3,000
Site Services, Ltd. (Waterloo)	AQ	5,000
Winsor Oil Co., Inc.; Joyce Winsor (Vinton)	UT	1,500
Bernie Brauns d/b/a Brauns Waste Mgmt. (Muscatine Co.)	AQ/SW	10,000
Ron Rupe (Polk Co.)	SW	2,000
Richard L. Magdefrau (Washington Co.)	AQ/SW	2,000
Lamoni, City of	WW	1,000
Margaret and Gene Palmersheim d/b/a G & M Service Mart (Greeley)	UT	1,500
Dakota Mobile Home Park (Oxford)	WW	2,550
Waste Mgmt. & Design; Monfort, Inc. (Des Moines)	SW/WW	10,000
#Boomsma Egg Site #1; A.J. DeCoster (Wright Co.)	WW	1,000
Richard Sprague (Tripoli)	AQ/SW	5,000
Joseph Barragy; Tom Barragy; J & M Woodshavings, Inc. (Cerro Gordo Co.)	AQ/SW	4,000
Marvin Low d/b/a Low's DX (Toledo)	UT	10,000
Carroll, City of	WS	3,000
Todd L. Salow (Washington)	AQ/SW	5,000
Camp Golden Valley (Lockridge)	WW	5,700
Holliman LTD.; Terry Holliman (Hamburg)	SW/WW	10,000
Organic Technologies Corp.; Tim Danley; Ken Renfro (Warren Co.)	SW/WW	10,000
Ralene Hawkins d/b/a R.J. Express Salvage & Demolition; Clara Lindstadt (Des Moines Co.)	AQ/SW	1,000
#Rod Bice (Boone Co.)	WW	500
Bellevue Golf Club, Inc. (Bellevue)	WS	300
Cliff's Place, Inc. (Waverly)	WS	1,500
Craig Burgin (Indianola)	UT	600
Wayne Johnson (Rockford)	AQ/SW	1,000
Sylvan Acres (Janesville)	WS	1,000
Paul Behounek; Todd Behounek (Tama Co.)	AQ/SW	7,100
Delaware County Landfill, Inc.	SW	5,000
Brittany Estates Addition (Manchester)	WS	4,000
Kruger Seed Co. (Dike)	AQ	3,000
Al DeCarlo Demolition Co. (Des Moines)	AQ	5,000
Ritchie Industries, Inc. (Conrad)	AQ	3,000
Bob Luke d/b/a D & R Tree Service (Washington)	AQ/SW	1,000
Country Pumpkin (Deloit)	WS	500
Robert Frees; Elizabeth Mathes (Washington Co.)	SW	1,000
Tire-Tech Environmental Systems, Inc. (Muscatine)	SW/WW	2,500
Iowa Waste Systems, Inc.; Fayette Co. Solid Waste Comm.	SW	10,000
Advanced Technologies Corp. (Waterloo)	AQ	7,500
Biovance Technologies, Inc. (Oskaloosa)	AQ	4,000
Stellar Industries, Inc. (Garner)	AQ	3,000
Joyce Wagner; Bruce Manthe d/b/a Wagner Truck Wash (Merrill)	WW	5,000
Iowa Mold Tooling Co., Inc. (Garner)	AQ	5,000
Keokuk Steel Castings Co., Inc. (Keokuk)	AQ	5,000
Walnut Grove Water Company (Davenport)	WS	2,500
Big Ten Mart/Truck Stop (Lowden)	WS	2,500
North Central Cooperative (Clarion)	WW/HC	2,000
# Iowa Select Farms, L.P. (Hardin Co.)	WW	1,500
Troy Elevator, Inc. (Troy)	WW/HC	4,000
Iowa Realty Co., Inc.; Easter Lake Estates (Polk Co.)	WW	6,000
# Alan Rasmussen (Webster Co.)	WW	500
Milton, City of	SW/AQ	1,000

Emergy Gingerich d/b/a Gingerich Well & Pump Service, Kalona	WW	1,100
# Ronald Juergens (Carroll Co.)	WW	3,000
# Leroy Wulf (Des Moines Co.)	WW	2,500
# Austin J. DeCoster (Nursery 8) (Wright Co.)	WW	1,000
# Iowa Select Farms, L.P. (Sow 8) (Wright Co.)	WW/HC	3,000
Sac City, City of	WW	4,000
Rockwell City, City of	WW	10,000
TOTAL		473,265

The following administrative penalties were paid last month:

<u>NAME/LOCATION</u>	<u>PROGRAM</u>	<u>AMOUNT</u>
*#Marlin Brenneman (Iowa Co.)(PAID IN FULL)	WW	500
West Union Cooperative Company (West Union)	WW/HC	10,000
# Northwest Iowa Cooperative (O'Brien Co.)	WW	3,000
Stokely USA, Inc. (Ackley)	WW	10,000
# Richard Formanek	WW	3,000
Renwick, City of; Galen Engstrom	WW	700
#C & I Eggs (Webster Co.)	WW	500
Carroll Etchen (Clear Lake)	UT	4,600
TOTAL		32,300

ATTORNEY GENERAL REFERRALS
February 1, 1998

Name, Location and Region Number	Program	Alleged Violation	DNR Action	New or Updated Status	Date
Advanced Technologies Corp. Iowa City (6)	Air Quality	Asbestos	Referred to Attorney General	Referred	6/20/97
Ballard, Randy Fayette Co. (1)	Flood Plain	Construction Without Permit	Order/Penalty	Referred	5/29/96
Buringrud, Mark d/b/a Carpenter Bar and Grill Carpenter (2)	Drinking Water	Monitoring-Reporting-Bacteria, Nitrate	Order/Penalty	Referred	11/17/97
DeCoster, A.J. Wright Co. (2)	Waste-water	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed Defendant's Pre-Answer Motions Filed State's Resistance Filed Order Denying Defendant's Motion Defendant's Motion for Separate Trials State's Resistance Filed Defendant's Answer	7/17/95 1/23/96 3/06/96 3/27/96 4/12/96 4/19/96 4/29/96 5/01/96 5/06/96 5/30/96

Defendant's Reply to Resistance	5/31/96
State's Supplement to Resistance	6/03/96
State Brief	6/28/96
Hearing on Motion for Separate Trials	10/03/96
Order Denying Defendant's Motion	10/15/96
Defendant's Motion to Compel	10/21/96
State's Motion to Extend Pleadings	10/28/96
Hearing	10/28/96
Order Denying Defendant's Motion	11/06/96
Order Granting State's Motion	11/21/96
Defendants Motion for	11/27/96
Reconsideration	12/20/96
Order Denying Defendant's Motion	12/20/96
State's Motion to Compel	1/28/97-
Hearing	2/06/97
Order Granting State's Motion	2/11/97
Trial	2/21/97
	3/05/97
Closing Arguments	3/28/97
Post Trial Briefs	4/04/97
Ruling (\$59,000/Civil)	9/05/97
Defendant 179(b) Motion	9/24/97
Defendant's Notice of Appeal	4/04/97
Defendant's Brief Filed	9/05/97
Defendant's Amended Brief Filed	9/24/97

DeCoster, A.J. Nursery Unit #3 Wright Co. (2)	Waste- water	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed Consolidated With Sow Unit #1 (See Below)	8/19/96 11/25/96 4/28/97
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DeCoster, Austin J. Sow Unit #1 (2)	Waste- water	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed State's Motion to Change Venue State's Motion to Consolidate Order Granting Motions Amended & Substituted Petition Filed Trial Date Defendant's Motion for Partial Summary Judgment State's Resistance Filed State's Motion for Partial Summary Judgment Hearing on Defendant's Motion for Partial Summary Judgment Defendant's Resistance to State's Motion for Partial Summary Judgment Hearing on State's Motion for Partial Summary Judgment Ruling Denying Defendant's Motion for Partial Summary Judgment Ruling Granting State's Motion for Partial Summary Judgment Trial Defendant's Post Trial Brief Plaintiff's Proposed Findings and Conclusions Defendant's Response	1/22/97 4/24/97 4/28/97 4/28/97 4/28/97 5/19/97 9/16/97 7/14/97 7/31/97 8/04/97 8/11/97 8/19/97 8/25/97 9/02/97 9/04/97 9/16-18/97 10/20/97 11/19/97 12/04/97
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DeCoster, Austin J.
Sow Unit #1; Nursery Unit #7

Referred to

Wright Co. (2)	Waste-water	Prohibited Discharge	Attorney General	Referred	6/20/97
DeCoster, Austin J. Nursery Unit #4 Wright Co. (2)	Waste-water	Prohibited Discharge	Referred to Attorney General	Referred	8/18/97
DeCoster, Austin J. Sow Unit #3 Hamilton Co. (2)	Waste-water	Prohibited Discharge	Referred to Attorney General	Referred	12/15/97
Economy Solar Corp. Ft. Madison (6)	Air Quality	Asbestos	Referred to Attorney General	Referred Petition Filed Trial Date Ruling (\$1,600/Civil & Injunction) Notice of Appeal Voluntary Dismissal	3/21/94 8/29/94 11/06/95 11/30/95 1/03/96 4/11/96
Economy Solar Corp./Central Community School DeWitt (6)	Air Quality	Asbestos	Referred to Attorney General	Referred Petition Filed Trial Date	7/17/95 1/03/97 3/23/98
ESCORP/Cryotech Ft. Madison (1)	Air Quality	Asbestos	Referred to Attorney General	Referred Petition Filed Trial Date	7/17/95 4/11/97 3/02/98
Hahn, Oscar Solon (6)	Air Quality Solid Waste	Open Burning Illegal Disposal	Order/Penalty	Referred Petition Filed Entry of Default	12/18/95 4/18/96 11/01/96
Home Asbestos & Lead Abatement Services; Robert G. Condon West Des Moines (5)	Air Quality	Asbestos	Order/Penalty	Referred	10/20/97
Humiston, Fred d/b/a Cedar River Trailer Park Letts (6)	Drinking Water	MCL-Nitrate	Referred to Attorney General	Referred	9/16/96
Huyser, James; Trust Trucking Lovilia (5)	Underground Tank	Site Assessment	Referred to Attorney General	Referred Petition Filed Dismissed for Lack of Service Bankruptcy Petition Filed	11/21/94 4/18/96 9/20/96 9/20/96
Larson, Daryl Clinton Co. (6)	Waste-water	Prohibited Discharge	Referred to Attorney General	Referred	10/20/97

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Martinez, Vincent d/b/a Martinez Sewer Service Davenport (6)	Hazardous Condition	Remedial Action	Order/Penalty	Referred Petition Filed Partial Default Judgment (Injunction)	2/17/92 12/21/92 10/11/94
McKernan, Brian d/b/a Hickory Grove Mobile Home Park Roland (5)	Waste- water	Discharge Limits; Monitoring & Reporting	Order/Penalty	Referred	1/22/97
Organic Technologies; Tim Danley; Ken Renfrow; Mike Danley Warren Co. (5) NEW	Solid Waste	Permit Violations	Referred to Attorney General	Referred	12/15/97
Orrie's Supper Club, Inc. Hudson (1)	Drinking Water	Monitoring Reporting; Lead & Copper	Order/Penalty	Referred	10/16/95
Owens & Owens Realty, Inc. Wilton (6)	Underground Tank	DNR Defendant	Defense	Petition Filed Answer Filed	3/29/96 4/19/96
Papetti's of Iowa Food Products, Inc. Taylor Co. (4)	Waste- water	Prohibited Discharge	Referred to Att. General	Referred	1/22/97
Postville Pork Postville (1)	Waste- water	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed	5/20/96 7/09/97
Reed, Verna and Don; Andrea Silsby Union Co. (4)	Solid Waste	Illegal Disposal	Order/Penalty	Referred Petition Filed Entry of Default	6/20/94 8/10/94 12/12/94
Relative, Inc.; Doug Smuck Des Moines (5)	Under- ground Tank	Insurance Violation	Order/Penalty	Referred Petition Filed Order Granting Default Judgment	10/17/94 5/12/95 11/26/96
R.V. Hopkins Davenport (6)	Air Quality	Emission Violations	Order/Penalty	Referred	5/21/97
Schoenberr, R.B. d/b/a Long Branch Tavern Monmouth (1)	Drinking Water	Permit Renewal	Orders/ Penalties	Referred	6/20/97
Stickle Farms, Inc. Linn Co. (1)	Waste- water	Prohibited Discharge	Referred to Attorney General	Referred	4/21/97
Tracy, Ronald d/b/a TRACE, Inc. Howard Co. (1)	Waste- water	Prohibited Discharge	Referred to Attorney General	Referred	11/17/97

Underwood, Paul d/b/a Air	Asbestos	Order/Penalty	Referred	5/15/95
Underwood Excavating and Quality			Motion for Judgment	8/15/96
Demolition Cedar Rapids (1)				

Williams, Dean d/b/a Williams	Under-	Site Assessment	Order/Penalty	Referred	10/20/97
Oil Co. Stuart (4)	ground				
	Tank				

CONTESTED CASES

1-23-86	Oelwein Soil Service	Admin. Order	WW	Murphy	Hearing continued; additional testing being done.
6-08-89	Shaver Road Investments	Site Registry	HW	Kennedy	New draft consent order issued to company for approval.
6-08-89	Hawkeye Rubber Mfg. Co.	Site Registry	HW	Kennedy	New draft consent order issued to company for approval.
6-08-89	Lehigh Portland Cement Co.	Site Registry	HW	Murphy	Hearing continued. Discovery initiated.
11-03-89	Bridgestone/Firestone, Inc.	Site Registry	HC	Murphy	Hearing continued pending negotiations. Settlement proposed
5-08-90	Texaco Inc./Chemplex Co. Site	Site Registry	HW	-----	Settlement proposed.
5-14-90	Alter Trading Corp. (Council Bluffs)	Admin. Order	SW	Kennedy	Permit issued. District court suit dismissed. Field Office
6-20-90	Des Moines, City of	NPDES Permit Cond.	WW	Hansen	EPD met with City to resolve appeal issues. Follow-up with
7-02-90	Keokuk Savings Bank and Trust; Keokuk Coal	Site Registry	HW	----	Hearing continued.
7-30-90	Key City Coal Gas Site; and Howard Pixler	Site Registry	HW	----	Decision appealed (Pixler).
8-01-90	J.I. Case Company	Site Registry	HW	Preziosi	Hearing continued indefinitely pending cleanup of neighboring
10-15-90	Westside General Store Corp.	Admin. Order	UT	Wornson	Evaluating inability to pay - USI fund eligibility by county.
12-27-90	McAtee Tire Service, Inc.	Admin. Order	SW	Kennedy	Amended order issued 1/11/96.
1-07-91	Joe E. Eggers, Jr.; Joe and Mary Eggers	Admin. Order/Penalty	SW	Kennedy	Hearing continued. Clean-up continuing slowly due to illness.
5-20-91	Great Rivers Coop-Lockridge	Site Registry	HC	Murphy	Settlement proposed.
9-25-91	Archer Daniels Midland	Admin. Order	SW	Kennedy	DNR engineers reviewing documents.
1-17-92	Hickory Hollow Water Co.	Admin. Order/Penalty	WS	Hansen	Settlement offer to WS. Counter offer 7/13/93. Dept. response
1-30-92	Center Oil Co., Inc.	Admin. Order	HC	Murphy	Negotiating before filing.
4-09-92	Wayne Transports, Inc.	Admin. Order/Penalty	WW	Murphy	Negotiating before filing.
4-15-92	Mulgrew Oil Co.	Admin. Order/Penalty	HC	Wornson	Settlement letter sent 8/31/94. SCR completed. Finalizing
4-24-92	Charles A. Kerr	Admin. Order/Penalty	UT	Wornson	Financial inability claimed. Warning letter sent 1/25/95. No
5-05-92	Plymouth Cooperative Oil Co.	Admin. Order/Penalty	WW	Murphy	Negotiating before filing.
5-12-92	Paris & Sons, Inc.	Site Registry	HC	Murphy	Negotiating before filing.
5-27-92	Beckett Chevrolet-Olds	Admin. Order	UT	Wornson	Financial inability claimed. Claimant completing financial
6-23-92	Chickasaw County Board of Supervisors	Admin. Order/Penalty	SW	Kennedy	County to include closing in FY 1997 budget. Meeting held
8-24-92	Dean Hoeness d/b/a Hoeness & Sons	Admin. Order/Penalty	UT	Wornson	Financial inability claimed. Insufficient documentation. On
9-21-92	ITWC	Admin. Order/Penalty	AQ	Preziosi	Settlement close. Negotiating penalty.
9-22-92	King's Terrace MHP	Admin. Order/Penalty	WW	Hansen	8/94-Letter to facility regarding resolution of appeal. Follow-up
11-16-92	Frank Hulshizer	Admin. Order/Penalty	SW	Kennedy	Amended order issued 1/11/96.
12-14-92	Quantum	Permit Conditions	WW	Hansen	3/30/93 Dept. settlement offer made. 5/03/93 response from
4-05-93	Mapleton, City of	WW Operator	WW	Hansen	Under review by EPD. Appeal discussion with EPD staff.
4-12-93	LeMars, City of	Admin. Order/Penalty	WW	Hansen	Construction permit issued. Schedule submitted by City for
4-21-93	Donald Udell	Admin. Order/Penalty	SW	Kennedy	Clean-up completed. Penalty settlement due.
6-21-93	Jacobs Energy Corp., Inc.	Permit Denial	AQ	Preziosi	Hearing continued. Meeting held. Settlement close. Waiting on
7-06-93	Dennis E. Good	Admin. Order	UT	Wornson	Tier 1 complete. Tier 2 initiated.
7-09-93	Oakwood Park Water, Inc.	Admin. Order/Penalty	WS	Hansen	Construction permit issued 2/94. Facility to be installed by
7-20-93	Valley Restaurant/Sierp Oil; Mary & Carl Sierp;	Admin. Order	UT	Wornson	Settlement expected. SCR submitted. Revision required under
7-20-93	U.S. Dept. of Defense	Admin. Order/Penalty	UT	Wornson	RBCA review completed. Dismissed without prejudice.
11-16-93	Iowa Southern Utilities	Permit Conditions	AQ	Preziosi	8/12/97 - Appeal being reviewed in context of Title V

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12-23-93	Waverly Gravel & Ready-Mix aka Shell Rock	Admin. Order/Penalty	AQ	Preziosi	Negotiating penalty. Settlement close.
1-27-94	Archer-Daniels-Midland	Permit Conditions	AQ	Preziosi	Negotiating before filing.
2-28-94	Coastal Mart - Davenport	Admin. Order/Penalty	UT	Wornson	Deficient SCR. Letter sent. Penalty on appeal.
3-03-94	Burlington Northern Railroad	Tax Certification	WW	Hansen	3/96 - Letter to company regarding appeal. Response requested
5-10-94	Dennis Malone; Joanne Malone	Admin. Order/Penalty	UT	Wornson	Untimely appeal. Compliance 3/97. Negotiating penalty.
5-27-94	Joseph L. Ranker; Daryl Hollingsworth	Admin. Order/Penalty	UT	Wornson	Tanks closed. Property sold. Buyer is Fund eligible and may do
6-15-94	Lakeview Heights	Permit Conditions	WS	Hansen	Facility proposal under review by WS. DNR response to appeal
7-12-94	Tom Wiseman	Admin. Order/Penalty	UT	Wornson	Appeal untimely. Follow-up letter sent. Fund eligible. Tier I
8-12-94	Karl and Thelma Boylan d/b/a Boylan's Service	Admin. Order/Penalty	UT	Wornson	Inability to pay. Failed to return required documentation. Letter
8-29-94	B and B Tire and Oil	Admin. Order/Penalty	UT	Wornson	SCR accepted. Letter sent offering penalty negotiations
9-01-94	Elmer R. Faust d/b/a Faust Garage & Grocery	Admin. Order/Penalty	UT	Wornson	SCR accepted - negotiating penalty.
9-02-94	Crabtree Lake Resort	Admin. Order/Penalty	WW	Hansen	Facility in compliance.
9-06-94	HEW, inc.	Admin. Order/Penalty	AQ	Preziosi	3/1/96 - Amended order to be issued.
9-09-94	American Coals Corp., Site 5 (Bussey)	Admin. Order/Penalty	SW/AQ	Kennedy	Bankruptcy filed. Phone conversation regarding closure
9-15-94	Bankston	Admin. Order/Penalty	WS	Hansen	1/95 - Information from City. Compliance initiated. Respond to
9-16-94	Wunschel Oil Co.; Vernus Wunschel; Jacquelyn	Admin. Order/Penalty	UT	Wornson	Consent order. SCR received. Revisions to SCR required -
9-26-94	James D. Foust	Admin. Order/Penalty	SW	Kennedy	Hearing continued by ALJ because of bankruptcy.
10-07-94	Titan Wheel International	Admin. Order/Penalty	WW	Hansen	Revised BMR report submitted/reviewed by WW Permits.
10-19-94	Ronald Sizemore; Mark Murphy	Admin. Order/Penalty	UT	Wornson	Inability to pay documented. County took tax deed. Contact
10-31-94	Owens & Owens Realty, Inc.; Keith Owens;	Admin. Order/Penalty	UT	Wornson	District Court for judicial review. Fund eligible. Compliance
11-14-94	Tom Babinat d/b/a Tom's Car Care	Admin. Order/Penalty	UT	Wornson	Inability to pay - requested documentation -- no response.
11-28-94	Richard Beckett	Admin. Order/Penalty	UT	Wornson	Referral to UST Fund. Closed.
12-14-94	Campbell Clean-Up Service	Permit Denial	AQ	Preziosi	Negotiating before filing.
1-10-95	Steamboat Rock	Admin. Order	WS	Hansen	2/95 - Settlement offer by City and response by Dept. 4/95 -
1-11-95	Henry and Randy Krohn d/b/a Krohn	Admin. Order/Penalty	AQ/SW	Kennedy	Settlement offer made. FO rejected offer. Phone conversation
1-13-95	James and Roxann Neneman	Admin. Order/Penalty	UT	Wornson	Inability to pay. Forms sent. No response. Follow-up - 3/96.
1-13-95	Simonsen Industries, Inc.	Admin. Order/Penalty	WW	Hansen	2/28/95 - Submittal by facility's engineer regarding land
2-23-95	Lehigh Portland Cement	Permit Conditions	WW	Hansen	Informal settlement meeting held on 6/96. Facility to provide
2-27-95	Sale-R-Villa Construction	Admin. Order/Penalty	AQ	Preziosi	Hearing held 11/24/97. Awaiting decision.
3-23-95	American Coals Corp.	Admin. Order	SW	Kennedy	In bankruptcy. Phone conversation 8/21/97 regarding closure.
4-13-95	The Weitz Corp.; Barton Solvents, Inc.	Admin. Order	HC	Kennedy	Remediation plan received 5/27/96.
5-05-95	C & O Recycling Enterprises; Douglas W. Owen	Permit Denial	AQ	Preziosi	Negotiating before filing.
5-25-95	Marty Feinberg d/b/a Feinberg Scrap Iron; Betty	Admin. Order/Penalty	HC/WW	Kennedy	Hearing continued. Clean-up continuing.
5-25-95	E.I. DuPont DeNemours (95-A-133)	Permit Conditions	AQ	Preziosi	Awaiting engineering evaluation.
5-30-95	Earth Media Technologies	Admin. Order/Penalty	SW	Kennedy	In the process of clean-up.
5-31-95	E.I. DuPont DeNemours (91-A-266 thru 91-A-	Permit Conditions	AQ	Preziosi	Awaiting engineering evaluation.
6-16-95	Pilot Oil Corporation	Admin. Order/Penalty	WW/UT	Murphy	Site clean-up proceeding.
6-20-95	Toledo, City of	Permit Conditions	WW	Hansen	WW permits to negotiate settlement. Status of negotiations
6-23-95	Leonard C. Page	Admin. Order/Penalty	SW	Kennedy	Penalty settlement due 8/30/97.
7-03-95	Donald J. Foreman d/b/a D & R Feedlots	Admin. Order/Penalty	WW	Hansen	Negotiating before filing.
7-05-95	Boyer Valley Co.	Admin. Order/Penalty	WW	Hansen	Informal meeting held for 6/7/96. Response from facility due
7-10-95	Donald Krieger	Admin. Order/Penalty	UT	Wornson	Tanks removed. Report due.
7-10-95	Gilbert Persinger	Admin. Order/Penalty	UT	Wornson	SCR received - rejected. Review progress.
7-13-95	Organic Technologies Corp.	Admin. Order	SW	Kennedy	Awaiting EPC decision.
7-28-95	Harold T. Knott; James C. Knott	Admin. Order	UT	Wornson	Compliance initiated. SCR under review.
8-01-95	Wilbur McNear d/b/a McNear Oil Co.	Admin. Order/Penalty	UT	Wornson	SCR not received as of 2/29/96.
8-18-95	Holiday Mobile Lodge, Inc.	Admin. Order/Penalty	AQ/SW	Kennedy	Appellant's attorney reply due 2/29/96.
8-18-95	Redmond Enterprises, Inc.	Admin. Order	UT	Wornson	Compliance initiated. Selected for innovative technology
8-24-95	Shell Rock Products, Inc.	Admin. Order/Penalty	AQ/SW	Kennedy	Settlement offer due 8/1/96.

9-06-95	Kraft Foods Inc., Oscar Mayer Division	Variance Denial	WW	Hansen	Follow-up letter requesting information sent 1/12/96. Letter
9-20-95	FKI Industries, Inc.; Fairfield Aluminum, Inc.	Admin. Order	WW/HC	Murphy	Negotiating before filing.
10-09-95	E.L. Incorporated	Admin. Order/Penalty	SW	Kennedy	Appellant no longer accepting waste. Renewal permit may be
10-17-95	Tri-County Bank	Admin. Order/Penalty	AQ	Preziosi	Awaiting penalty payment.
10-17-95	Weber Construction, Inc.	Admin. Order/Penalty	AQ	Preziosi	Hearing held 4/25/97. Decision received in DNR's favor.
11-03-95	Jack Pinney Operations, Inc. aka Jack Pinney	Admin. Order/Penalty	AQ	Preziosi	Settled. Awaiting penalty payment.
12-12-95	Vernon Kinsinger, K & K Sanitation	Admin. Order/Penalty	AQ/SW	Kennedy	Clean-up progressing. Working with F.O. #6. Receiving
12-27-95	Ag Processing, Inc.	Permit Denial	AQ	Preziosi	Negotiating before filing.
12-28-95	Site Services, Ltd.	Admin. Order/Penalty	AQ	Preziosi	Hearing set for 2/16/98.
12-29-95	Spencer Memorial Hospital	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
1-04-96	Catherine E. Meredith	Admin. Order	UT	Wornson	Compliance initiated by Atlantic Bottling. Comingled with coal
1-08-96	Westside Park for Mobile Homes	Admin. Order/Penalty	WW	Hansen	Past due monthly monitoring reports submitted to FO 6. Facility
1-11-96	Climax Molybdenum Company	Admin. Order/Penalty	AQ/HC	Preziosi	Negotiating before filing.
1-12-96	Clarence, City of	Admin. Order/Penalty	WW	Hansen	1/96 - Facility inspected by FO 6. 9/96 letter from facility
1-22-96	Daryl Hollingsworth and Karen Hollingsworth	Admin. Order/Penalty	UT	Wornson	Tanks removed. Property sold.
1-25-96	Hidden Valley Mobile Home Park	Admin. Order/Penalty	WW	Clark	Negotiating before filing.
1-25-96	Markley Knock d/b/a Knock's Building Supply	Admin. Order/Penalty	AQ/SW	Kennedy	Phone conference with attorney regarding settlement - due
2-06-96	Russell Stagg	Admin. Order/Penalty	AQ/SW	Kennedy	Negotiating before filing.
3-04-96	Edward Bodensteiner	Admin. Order/Penalty	UI	Wornson	Hearing held 11/7/96. Brief submitted. ALJ decision
3-11-96	Dallas County Care Facility	Admin. Order/Penalty	WW	Hansen	Facility inspected by FO. Now in compliance.
3-14-96	Laurel, City of	Admin. Order	WW	Hansen	Information submitted by city under review by WQ section..
3-14-96	Lamoni, City of	Admin. Order	WW	Hansen	Flow information requested from City's engineer. To be set for
3-19-96	Obie's West	Admin. Order	WS	Hansen	Under review by WS section.
3-22-96	Mt. Joy Mobile Home Park	Admin. Order/Penalty	WW	Hansen	3/25/96 Inspection by FO 6. Facility in compliance.
3-26-96	Louisa-Muscatine Community School	Admin. Order/Penalty	WS	Hansen	Negotiating before filing.
4-19-96	C & I Eggs	Admin. Order/Penalty	WW	Clark	Settled 1/18/98.
5-07-96	Lakeview Mobile Home Park	Admin. Order/Penalty	WW	Hansen	6/20/96 - informal meeting held. Facility to provide settlement
5-08-96	Vernier Mfg. Co. (96AQ06)	Admin. Order/Penalty	AQ	Preziosi	Drafting consent order.
5-14-96	Gary Lee Walker	Admin. Order/Penalty	AQ/SW	Kennedy	Negotiating before filing.
5-16-96	Grand Laboratories, Inc.	Permit Denial	WW	Hansen	Information received and reviewed by EPD. Settlement offer
5-29-96	Haasco, Ltd.	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
6-07-96	Clow Valve Company	Permit Conditions	AQ	Preziosi	Negotiating before filing.
6-07-96	Koehring Cranes, Inc.	Open Burning Variance	AQ	Preziosi	Negotiating before filing.
6-10-96	DeCoster Farms of Iowa (19 sites)	Admin. Order	WW	Clark	Proposed decision 11/25/96. Appealed to EPC 12/27/96.
6-10-96	DeCoster Farms of Iowa (5 sites)	Permit Denial	WR	Clark	Proposed decision 11/25/96. Appealed to EPC 12/27/96.
6-17-96	Winsor Oil Co., Inc. ; Joyce Winsor	Admin. Order/Penalty	UT	Wornson	Compliance initiated. CADR received/approved. Fund
6-19-96	Appanoose Co. Sanitary Landfill	Permit Modification	SW	Kennedy	Negotiating before filing.
6-25-96	Bernie Brauns d/b/a Brauns Waste Mgmt. &	Admin. Order/Penalty	AQ/SW	Kennedy	Negotiating before filing.
7/17/96	Richard L. Magdefrau	Admin. Order/Penalty	AQ/SW	Kennedy	Negotiating before filing.
8/01/96	DeCoster Farms of Iowa (Nursery Unit 7 -	Permit Denial	WW	Clark	Proposed decision 11/25/96. 12/27/96 - Appealed to EPC.
8/01/96	DeCoster Farms of Iowa (Boomsma Egg Site #1)	Admin. Order/Penalty	WW	Clark	Hearing continued - date to be set.
8/09/96	Gene and Margaret Palmersheim d/b/a G & M	Admin. Order/Penalty	UT	Wornson	Negotiating before filing.
8/19/96	Capitol Oil Co., Inc. d/b/a Dakota Mobile Home	Admin. Order/Penalty	WW	Clark	Negotiating before filing.
8/23/96	Waste Management & Design (Monfort)	Admin. Order/Penalty	WW/SW	Kennedy	Settlement pending.
8/30/96	Howard Victor & Wanda Victor	Admin. Order/Penalty	UT	Wornson	Closed facility. Negotiating penalty.
9/04/96	Ag Processing, Inc./Sheldon Facility	Permit Denial	AQ	Preziosi	Negotiating before filing.
9/24/96	North Star Steel Iowa	Permit Denial	AQ	Preziosi	Negotiating before filing.
10/11/96	DeCoster Farms of Iowa (96-WW-32).	Admin. Order	WW	Clark	Hearing continued indefinitely.
10/17/96	DeCoster Farms of Iowa (Nursery Unit 3 -	Permit Revocation	WW	Clark	Hearing continued indefinitely.

10/28/96	Fischer Controls International	Permit Conditions	WW	Hansen	Negotiating before filing.
10/28/96	Holliman Ltd.	Admin. Order/Penalty	SW/WW	Murphy	Negotiating before filing.
11/01/96	Joseph Barragy and Tom Barroy d/b/a J & M	Admin. Order/Penalty	AQ/SW	Kennedy	Negotiating before filing..
11/05/96	Marvin Low d/b/a Low's DX	Admin. Order/Penalty	UT	Wornson	Tanks removed. Negotiating penalty.
11/07/96	Todd L. Salow	Admin. Order/Penalty	AQ/SW	Kennedy	Negotiating before filing.
11/08/96	Caseys General Stores, Inc.	Mean Time to Corrosion	UT	Wornson	Settlement conference held 2/17/97.
11/08/96	Carroll, City of	Admin. Order/Penalty	WS	Hansen	Returned to compliance.
11/25/96	Camp Golden Valley	Admin. Order/Penalty	WW	Kennedy	Negotiating before filing.
12/02/96	Organic Technologies Corp.	Permit Denial	SW	Murphy	Proposed decision received 8/1/97; appealed. Affirmed by EPC
12/05/96	Organic Technologies Corp. -----91-SDP-02-94P	Admin. Order/Penalty	SW	Murphy	Proposed decision received 8/1/97; appealed. Affirmed by EPC
1/02/97/	Ruan Leasing Co., aka Ruan Transportation	Admin. Order	AQ	Preziosi	Negotiating before filing.
1/23/97	Rod Bice	Admin. Order/Penalty	WW	Clark	Settled 1/16/98.
1/28/97	Ralene Hawkins d/b/a R.J. Express Salvage &	Admin. Order/Penalty	SW/AQ	Kennedy	Clean-up complete. Negotiating penalty.
2/07/97	Craig Burgin	Admin. Order/Penalty	UT	Wornson	Compliance complete. Negotiating penalty.
2/19/97	Cliff's Place, Inc.	Admin. Order/Penalty	WS	Hansen	Compliance initiated.
2/21/97	Farmland Foods, Inc. (Denison)	Permit Conditions	AQ	Preziosi	Negotiating before filing.
3/04/97	Wayne Johnson	Admin. Order/Penalty	SW/AQ	Kennedy	Negotiating before filing.
3/20/97	Sylvan Acres	Admin. Order/Penalty	WS	Hansen	Compliance initiated.
3/28/97	Paul Behounek; Todd Behounek	Admin. Order/Penalty	SW/AQ	Kennedy	Negotiating before filing.
4/07/97	AGP, Inc. (Ag Processing, Inc.)	Permit Conditions	AQ	Preziosi	Negotiating before filing.
4/10/97	Lehigh Portland Cement	PSD Permit Denial	AQ	Preziosi	Negotiating before filing..
5/07/97	Delaware County Landfill, Inc.	Admin. Order/Penalty	SW	Kennedy	Negotiating before filing.
5/16/97	Carroll Etchen	Admin. Order/Penalty	UT	Wornson	Penalty paid. Settled.
6/06/97	Al DeCarlo Demolition Co.	Admin. Order/Penalty	AQ	Preziosi	Settled. Awaiting penalty payment.
6/06/97	Carroll's Foods of the Midwest	Const. Permit Denial	WW	Clark	Negotiating before filing.
6/10/97	Kruger Seed Co.	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
6/16/97	Ritchie Industries, Inc.	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
6/17/97	Bob Luke d/b/a D & R Tree Service	Admin. Order/Penalty	AQ/SW	Kennedy	Negotiating before filing.
6/30/97	Linwood Mining and Minerals	Admin. Order	AQ	Preziosi	Negotiating before filing.
7/22/97	CIPCO	Construction Permit	AQ	Preziosi	Negotiating before filing.
7/22/97	Robert P. Frees; Elizabeth R. Mathes	Admin. Order/Penalty	SW	Kennedy	Negotiating before filing.
7/30/97	Country Pumpkin	Admin. Order/Penalty	WS	Hansen	Negotiating before filing.
7/31/97	Advanced Technologies Corp.	Admin. Order/Penalty	AQ	Preziosi	New case.
7/31/97	Brittany Estates Addition	Admin. Order/Penalty	WS	Hansen	Hearing set for 3/23/98.
8/01/97	Dodger Enterprises Co., Tire Chop Division;	Admin. Order	SW	Kennedy	Hearing set for 3/9/98.
8/05/97	Biovance Technologies	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
8/08/97	Tire-Tech Environmental Systems	Admin. Order/Penalty	SW/WW	Kennedy	Negotiating before filing.
8/08/97	Iowa Waste Systems, Inc.; Fayette Co. Solid	Admin. Order/Penalty	SW	Kennedy	Negotiating before filing.
8/15/97	Ralston Purina Co.	Permit Conditions (25	AQ	Preziosi	Negotiating before filing.
8/18/97	Stellar Industries Inc.	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
8/25/97	Joyce Wagner, Bruce Manthe d/b/a Wagner	Admin. Order/Penalty	WW	Murphy	Negotiating before filing.
9/17/97	Keokuk Steel Castings	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
9/25/97	Iowa Mold Tooling Co., Inc.	Admin. Order/Penalty	AQ	Preziosi	Negotiating before filing.
9/26/97	Walnut Grove Water Co.	Admin. Order/Penalty	WS	Hansen	Under review by WS section. Connection to water supply for
10/6/97	North Central Cooperative	Admin. Order/Penalty	HC/WW	Murphy	Negotiating before filing.
10/6/97	Big-Ten Mart/Truck Stop	Admin. Order/Penalty	WS	Murphy	Negotiating before filing.
10/6/97	Holnam, Inc.	Permit Conditions	AQ	Preziosi	Negotiating before filing.
10/7/97	Ottumwa, City of	Variance Denial	WW	Hansen	Informal meeting held 11/13/97. City to submit proposal.
10/17/97	Iowa Select Farms, L.P. (Gast Finishing Farm)	Admin. Order/Penalty	WW	Clark	Sent to DIA 1/23/98.

10/22/97	Lehigh Portland Cement Co.	Admin. Order	AQ	Preziosi	Negotiating before filing.
11/19/97	Troy Elevator, Inc.	Admin. Order/Penalty	WW/HC	Murphy	Negotiating before filing.
11/21/97	Iowa Realty - Easter Lake Estates	Admin. Order/Penalty	WW	Murphy	Negotiating before filing.
12/02/97	Dows, City of	Admin. Order	WW	Hansen	Negotiating before filing.
12/03/97	Milton, City of	Admin. Order/Penalty	SW/AQ	Kennedy	Negotiating before filing.
12/05/97	Emery Gingerich d/b/a Gingerich Well and Pump	Admin. Order/Penalty	WW	Murphy	Negotiating before filing.
12/08/97	Alan Rasmussen	Admin. Order/Penalty	WW	Clark	Settlement close.
12/12/97	Donald E. Grell; Dodger Enterprises, Tire Chop	Notice of Intent to	SW	Kennedy	Hearing set for 3/9/98.
12/17/97	Lafarge Corporation, Inc.	Tonnage Fee	SW	Murphy	New case.
12/22/97	Dave and Kristi Castenson; Donald Fields	Harcourt Variance	WW	Hansen	Negotiating before filing.
12/30/97	Ronald Juergens	Admin. Order/Penalty	WW	Murphy	Negotiating before filing.
1/07/98	Iowa Select Farms, L.P. (Sow Farm #8) (Wright	Admin. Order/Penalty	WW/HC	Clark	New case.
1/13/98	DeCoster Farms of Iowa (Nursery #8) (Wright	Admin. Order/Penalty	WW	Clark	New case.
1/16/98	Pilgrim Heights Camp	NPDES Permit	WW	Hansen	New case.
1/21/98	Leroy Wolf	Admin. Order/Penalty	WW	Clark	New case.
1/23/98	Sac City	Admin. Order/Penalty	WW	Hansen	New case.
1/29/98	Ralston Purina Company	Permit Conditions	AQ	Preziosi	New case.
1/30/98	Rockwell City	Admin. Order/Penalty	WW	Hansen	New case.

Mr. Stokes noted that Dave Sheridan and Mike Smith of the Attorney General's Office are present to provide the Commission with an update and some insight into a recently handed down district court case relative to DeCoster Farms of Iowa.

Closed Session

Motion was made by Dean McWilliams to go into closed session pursuant to Iowa Code section 21.5(1)(c) to discuss strategy with counsel to discuss matters where litigation is imminent where disclosure would be likely to prejudice or disadvantage the position of the government. Seconded by Gary Priebe. Roll call vote was taken and "Aye" vote was cast by Commissioners Townsend, Venner, King, McWilliams, Murphy, Priebe, and Ehm. Motion carried unanimously.

Motion was made by Kathryn Murphy to adjourn the closed session and return to open session. Seconded by Terrance Townsend. Motion carried unanimously.

Chairman Ehm announced that no action was taken or decisions made during the closed session.

Mr. Stokes noted that he placed at the Commissioner's workplace a copy of a memo from ARRC staffperson, Joe Royce, notifying of a delay the ARRC placed on the Ag Drainage Well rules. ARRC referred those rules to a standing committee of the legislature because they were concerned that the time deadline in the rules, a result of the law, was not realistic. ARRC would like the legislature to review the timeline and costs for well closings. Mr. Stokes stated that in regard to the Solid Waste rules--Chapter 102 and 103, there was a miscommunication between the department and the Code Editor and they were supposed to have taken out the height restrictions in municipal solid waste, the monofil, and demolition waste sites, and they only took out the height restriction on solid waste sites. He related that it was made clear to ISOSWO and the landfill community folks that the restriction should also be deleted for monofil and

demolition waste sites. He noted that some of the landfill community requested an extension on the comment period and a four week extension was granted.

Mr. Stokes reviewed the remainder of the routine monthly reports

INFORMATIONAL ONLY

FUNDING APPROVAL - IOWACCESS PROJECT 11, AIR PERMITTING SYSTEM

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The Commission will be asked to approve contribution of funds towards a contract with Windsor Technologies, Inc. for the Air Permitting System initiated by IowAccess Project 11 committee. The Scope of Services includes design, development, and implementation of an electronic Title V Operating Permit and Construction Permit Application System. This would allow clients to submit permit applications electronically via diskette, CDROM, or the Internet. This Air Permitting System will also include public access of viewing non-confidential application information and the final permit on the Internet.

Mr. Stokes explained the project and funds needed to carry it out, and noted that in the RFP process Windsor Technologies, Inc. was selected.

<i>Motion was made by Rozanne King to approve the Funding for IowAccess Project 11, Air Permitting System in the amount of \$64,460. Seconded by Terrance Townsend.</i>

Discussion followed regarding firewalls, security, etc. and Mr. Kuhn stated that there is current legislation dealing with legal signatures and encryption issues which will be incorporated in the entire statewide approach.

<i>Motion carried unanimously.</i>

APPROVED AS PRESENTED

CONTRACT REVISION - UHL

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The Commission will be asked to approve revision of the 1998 Agreement with the University of Iowa's Hygienic Laboratory (UHL) for environmental monitoring and laboratory services. The revision is the result of the new National Ambient Air Quality Standards for fine particulate matter [PM_{2.5}]. This new standard will require an increase in the ambient air monitoring network

in Iowa by 25 monitors over the next two calendar years. UHL will site, place, and operate 12 PM_{2.5} monitors, upgrade their sample weighing room, and develop a quality assurance plan to meet the specifications provided for the new standard in the Code of Federal Regulations during the current contract period.

This amendment would increase the estimated agreement amount by \$182,164 for a total of \$1,471,994. Funding for this effort will come from federal grants.

Mr. Stokes reviewed revisions to the UHL agreement.

Brief discussion followed in regard to monitoring and placement of the monitoring stations.

Motion was made by Rita Venner to approve the contract revisions with UHL as presented. Seconded by Terrance Townsend. Motion carried unanimously.

APPROVED AS PRESENTED

PROPOSED RULE--CHAPTERS 22, 23, AND 25, HOSPITAL, MEDICAL & INFECTIOUS WASTE INCINERATORS, AND MUNICIPAL WASTE COMBUSTORS

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

This item is presented for information only at this time. At their March 1998 meeting the Commission will be asked to approve the attached Notice of Intended Action to amend Chapter 22, "Controlling Pollution," Chapter 23, "Emission Standards for Contaminants," and Chapter 25, "Measurement of Emissions," Iowa Administrative Code.

The purpose of this rule making is to approve state regulations for existing hospital/medical/infectious waste incinerators (HMIWI), as well as, adopt by reference and make corrections to the New Source Performance Standards for HMIWI and municipal waste combustors (MWC), and update adoption by reference citations. The department has determined there are sources in the state subject to these requirements. In accord with delegation agreements previously entered into with EPA, the department herein considers accepting delegation of these standards. The standards are no more stringent than those specified in federal regulations.

On September 15, 1997, the U.S. Environmental Protection Agency (EPA) issued regulations that will affect new and existing incinerators that burn hospital, medical, and/or infectious waste, as 40 CFR Part 60 Subpart Ec and Ce. The new regulations require facilities such as hospitals/health care facilities, veterinarians, crematoriums, research labs, and commercial facilities with these incinerators to reduce emissions of certain pollutants which are known to

have a negative affect on both public health and welfare. The regulations aim to reduce the emissions from these incinerators by 75 to 98 percent.

Table 1 outlines the compliance schedule for designated facilities with an existing HMIWI planning to retrofit their equipment. Designated facilities planning to shutdown an existing HMIWI must do so by September 16, 1999. However, those planning to shutdown may request an extension from the Department to operate for two additional years.

Table 1. Compliance Schedule for Existing HMIWI

Event	Compliance Dates
Submit construction permit application to the Department.	June 16, 1999
Meet operator training and qualification requirements.	September 16, 1999
Conduct initial inspection; inspections annually thereafter.	September 16, 1999; annually
Award contracts for control systems or process modifications, or orders for purchase of components.	March 16, 2000
Initiate on-site construction or installation of the air pollution control device(s) or process changes.	September 16, 2000
Complete on-site construction or installation of air pollution control device(s) or process changes.	June 16, 2001
Complete initial compliance test on air pollution control equipment.	August 16, 2001
Final compliance.	September 16, 2001

Table 2 outlines the status of federal incinerator and combustor standards. Only one standard, 40 CFR Part 60, Subpart Ea, had been adopted by reference in the *Iowa Administrative Code*. The Department submitted negative declarations for the municipal waste combustors (MWC) emission guidelines, because Iowa did not have any facilities that met the definition of an existing MWC. The standard for hazardous waste combustors has only been proposed at the federal level. Standards for commercial and industrial incinerators, and other solid waste incinerators have yet to be addressed federally. The other standards are included in this draft notice of intended action.

Table 2. Status of incinerator and combustor standards

Name	Federal Citation	Proposed (P) Final(F)	State Rule
Municipal Waste Combustors NSPS	40 CFR 60, Subpart Ea	F – Feb. 11, 1991	567 IAC 23.1(2) “nmn”
Municipal Waste Combustors NSPS	40 CFR 60, Subpart Eb	F – Dec. 19, 1995	Rule making
Municipal Waste Combustors EG	40 CFR 60, Subpart Ca	F – Feb. 11, 1991	Neg. Declaration
Municipal Waste Combustors EG	40 CFR 60, Subpart Cb	F – Dec. 19, 1995	Neg. Declaration
HMIWI NSPS	40 CFR 60, Subpart Ec	F – Sept. 15, 1997	Rule making
HMIWI EG	40 CFR 60, Subpart Ce	F – Sept. 15, 1997	Rule making
Hazardous Waste Combustors	40 CFR 63, Subpart EEE	P – April 19, 1996	None
Commercial and Industrial Incinerators	None	None	None

Name	Federal Citation	Proposed (P) Final(F)	State Rule
Other Solid Waste Incinerators	None	None	None

(A copy of the Notice of Intended Action is on file in the department's Records Center)

Mr. Stokes reviewed details of the proposed rules.

INFORMATIONAL ONLY

NOTICE OF INTENDED ACTION--CHAPTER 22, AIR QUALITY PERMITS

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The Commission will be asked to approve the attached Notice of Intended Action to amend Chapter 22, "Controlling Pollution" 567 Iowa Administrative Code

This rule would require applicants for air quality construction permits to document they have legal access to and right to use property where they intend to locate and operate the proposed air emission sources. This rule will not add any delay to permit application review time.

This rule amendment will allow the Department to avoid utilizing resources to evaluate air quality construction permit applications for equipment that may never be constructed because applicants have not secured legal access and rights to use property where they propose to locate and operate sources covered by the permit application.

ENVIRONMENTAL PROTECTION COMMISSION [567] Notice of Intended Action

Pursuant to the authority of Iowa Code section 455B.133, the Environmental Protection Commission hereby gives Notice of Intended Action to amend Chapter 22, "Controlling Pollution", 567 Iowa Administrative Code.

The purpose of this rule making is to require applicants for air quality construction permits to show proof they have legal entitlement to use property on which the applicant proposes to locate equipment covered by the permit. This requirement will not effect the application review time.

This rule will allow the Department to avoid utilizing resources evaluating air quality construction permit applications for equipment that may never be constructed because permit applicants do not have legal entitlement to use the property where they intend to locate sources covered under the permit application.

Item 1 adds a requirement that applicants for air quality construction permits provide proof of legal entitlement to use the property identified in the permit application to install and operate equipment covered by the permit application.

Item 2 adds the provision that an application for an air quality construction permit may be denied for failure to provide proof of legal entitlement to use the property identified in the permit application to install and operate equipment covered by the permit application.

Item 3 adds the provision that the Department may revoke an air quality construction permit if the permit holder loses legal entitlement to use the property identified in the permit to install and operate equipment covered by the permit. Additionally, this item provides for revocation of a permit if the property owner no longer wishes to continue the operation of the permitted equipment, or if the owner of the permitted equipment no longer wishes to retain the permit for future operation.

Any person may make written suggestions or comments on the proposed rules on or before April 10, 1998. Written comments should be directed to Doug Campbell, Iowa Department of Natural Resources, Air Quality Bureau, 7900 Hickman Road, Suite 1, Urbandale, IA 50322, FAX (515) 242-5094 or by e-mail to dcampbe@max.state.ia.us.

A public hearing will be held on April 10, 1998 at 1:00 p.m. in conference rooms 5-8 of the Air Quality Bureau's office at 7900 Hickman Road, Urbandale, Iowa, at which time comments may be submitted orally or in writing.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility should contact the Department of Natural Resources to advise the Department of any specific needs.

These amendments are not expected to impact small business.

These amendments are intended to implement Iowa Code section 455B.133.

The following amendments are proposed.

ITEM 1. Amend 567—22.1(3)b (455B), the required information to be included in an "Application for Permit to Install or Alter Equipment or Control Equipment", as follows:

- (6) Information pertaining to sampling port locations, scaffolding, power sources for operation of appropriate sampling instruments, and pertinent allied facilities for making tests to ascertain compliance; ~~and~~
- (7) Any additional information deemed necessary by the department to determine compliance with or applicability of rules 22.4(455B) and 22.5(455B); ~~and~~
- (8) Proof through purchase, lease, easement, ordinance, sworn statement or other similar means that ensures the applicant's legal entitlement to use the property identified in the permit application to install and operate equipment covered by the permit application. Such proof shall not be required for portable concrete, rock crushers or asphalt equipment used in conjunction with specific identified

construction projects which are intended to be located at a site only for the duration of the specific, identified construction project.

ITEM 2. Amend Rule 22.3(4)(455B), "Denial of a permit", as follows:

- a. When an application for a construction or conditional permit is denied the applicant shall be notified in writing of the reasons therefor. A denial shall be without prejudice to the right of the applicant to file a further application after revisions are made to meet the objections specified as reasons for the denial.
- b. The Department may deny an application based upon the applicant's failure to provide proof of the applicant's legal entitlement to use the property identified in the permit application to install and operate equipment covered by the permit application.

ITEM 3. Amend 22.3(455B), as follows:

(7) "Revocation of a permit". The Department may revoke a permit upon obtaining knowledge that a permit holder has lost legal entitlement to use the property identified in the permit to install and operate equipment covered by the permit, upon notice that the property owner does not wish to have continued the operation of the permitted equipment, or upon notice that the owner of the permitted equipment no longer wishes to retain the permit for future operation.

Mr. Stokes reviewed details of the rule and noted revisions made from the version mailed in the agenda packet. Those revisions are as follows: Item 1(8) provides an exclusion for portable equipment and the term used in the agenda packet was "portable cement" and should say "concrete" not "cement." Also, "rock crushers" was not included in the agenda packet version, and rock crushers are often used in conjunction with construction activities.

Motion was made by Rozanne King to approve Notice of Intended Action--Chapter 22, Air Quality Permits. Seconded by Kathryn Murphy. Motion carried unanimously.

Brief discussion followed.

FINAL RULE--CHAPTER 134, GROUNDWATER PROFESSIONAL CERTIFICATION

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The Commission will be asked to approve the attached amendments to Chapter 134 as final rules. The amendments change the title of the chapter to "Certification of Groundwater Professionals" and remove the June 10, 1991 date requirement for meeting the five years of experience and training in order to initially qualify for certification.

The amendments were previously published as Notice of Intended Action in the November 19, 1997 Iowa Administrative Bulletin. No public comments were received. The amendments are identical to those published under Notice.

The rules incorporate changes made to Chapter 455G by 1997 Iowa Acts Senate File 75.

**ENVIRONMENTAL PROTECTION COMMISSION[567]
Adopted and Filed**

Pursuant to the authority of Iowa Code Supplement section 455G.18, the Environmental Protection Commission adopts amendments to Chapter 134, "Registration of Groundwater Professionals," Iowa Administrative Code.

The amendments are change the title of the chapter by removing "Registration" and replacing it with "Certification" and to remove the June 10, 1991 date requirement for meeting the five years of experience and training in order to initially qualify for certification. The requirement for having the five years of experience by June 10, 1991 was removed by 1997 Iowa Acts Senate File 75.

Notice of Intended Action was published in the November 19, 1997, Iowa Administrative Bulletin as **ARC 7654A**. No public comments were received on the proposed amendments. The adopted amendments are identical to those published under Notice.

These proposed amendments are intended to implement Iowa Code Supplement section 455G.18.

The following amendments are adopted.

ITEM 1. Amend the title to **567--Chapter 134** to read as follows:

~~REGISTRATION~~ CERTIFICATION OF GROUNDWATER PROFESSIONALS

ITEM 2. Amend subrule **134.2(2)**, paragraph "f," by changing it to read as follows:

f. Any person with five years of direct or related experience and training as a groundwater professional or in the field of earth sciences ~~as of June 10, 1991~~. This must include a minimum of at least two years of education and training, and two years of experience as a groundwater professional.

Mr. Stokes briefly reviewed the rules.

Motion was made by Terrance Townsend to approve Final Rule--Chapter 134, Groundwater Professional Certification. Seconded by Dean McWilliams. Motion carried unanimously.

APPROVED AS PRESENTED

LEGISLATION UPDATE

Don Paulin, Deputy Director, presented the following bills of interest to the Commission.

- 3 bills dealing with ADW's - one would delay the date for issuing contracts by one year; one would extend the date for compliance by one year
- 1 bill - deals with barges, requiring them to be double hulled
- HF 681 - Environmental Audit bill - appears it will pass this year
- 1 bill - requires the State Purchasing Agent to give preference to biodegradable, hydraulic fluids
- 1 bill - reduces tonnage fees from what landfills paid to the department (this bill is not moving at this time)
- 1 bill - cannot site confinement construction within five miles of another county line without approval from the second county
- 1 bill - moves the act of littering from a simple misdemeanor to a serious misdemeanor
- 2 bills - regarding oil filters - one would extend the insurance premium discount for underground storage tank owner/operators
- 1 bill - would probably be taken care of by Administrative Rule - will require someone asking for a permit from the department that the application indicate they do have control of the property involved
- 1 bill - eliminates the requirement for a department Hotline
- 1 bill - eliminates the requirement for developing rules on fertilizer and pesticides
- 1 bill - requires the department to report a summary of environmental violations to the legislature each year
- 1 bill - on waste tires (this one submitted by the DNR)
- 1 bill - on waste tires eliminates the total requirement for financial assurance
- 2 bills on UST's - affects the fund, not the regulatory portion
- 1 bill - on aquifer storage of water, a D.M. Water Works bill
- 2 bills - 1 requires the department to update the water plan in the Code, without any funds; one is similar to the Governor's proposal for a \$300,000 program calling for the department to monitor certain different areas dealing with animal confinements but not limited to that. A bill in the Senate provides one million dollars to do similar but expanded monitoring.
- 1 bill - deals with indemnity fees increase
- The department's budget as submitted is nearing passage in the Joint Budget Subcommittee
- 20 livestock bills - a few of the things covered are:
 - increase of the Indemnity Fees by 1/3 or 1/2
 - Indemnity Fund could be supplemented by Executive Council up to 3 million dollars and allow it to be used for cleanup that is not presently allowed.
 - chronic violator and habitual violator laws to prevent a spinoff to a relative or someone else
 - redefine the adjacency factor
 - certification of manure applicators and/or operators
 - dry manure issues (SF 2131)

- possible moratorium on earthen structures - which are now called formed and unformed structures

Chairman Ehm asked if the bill listing is available and updated on the Internet.

Mr. Stokes stated that he will provide the Commissioners with a printed www. address for legislation before they leave today.

INFORMATIONAL ONLY

GENERAL DISCUSSION

Dean McWilliams reported on a Leopold Center meeting he attended recently noting that they approved about 20 funding projects and it was a very interesting meeting.

Gary Priebe stated that when he took his cans back to the store he was asked if the 1-cent to retailers is ever going to be increased.

Director Wilson stated that there is a bill in the legislature to increase the amount that distributors receive.

Gary Priebe asked about the recent spill of 10,000 gallons of raw sewage into East Okoboji.

Director Wilson stated that samples are being collected on East Okoboji and there is no immediate threat.

Mr. Stokes stated that the matter is under investigation and the press report leads one to conclude that it got into the lake where there is a lot of public recreation area but it was not like it was just dumped at the local swimming beach or areas of that nature.

Discussion followed on environmental and local government representatives not remaining full participants in the dialogue on the National Pork Committee.

NEXT MEETING DATES

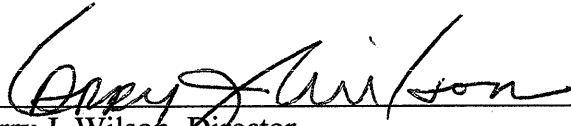
March 16, 1998

April 20, 1998

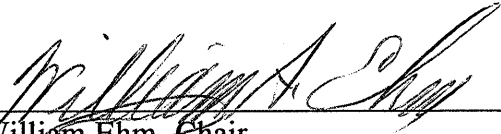
May 18, 1998

ADJOURNMENT

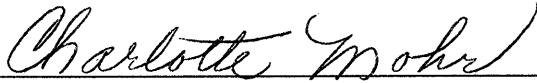
With no further business to come before the Environmental Protection Commission, Chairman Ehm adjourned the meeting at 12:50 p.m., Monday, February 16, 1998.



Larry J. Wilson, Director



William Ehm, Chair



Charlotte Mohr, Secretary

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